

AGENDA
Bar Harbor Town Council
February 18, 2020

- I. CALL TO ORDER – 7:00 P.M.**
 - A. Excused Absence(s)**
- II. COMMITTEE APPOINTMENTS - Council to consider Appointments Committee recommendations to appoint the following with expiration date of July 31 of their applicable year:**
 - A. Housing Authority**
 - 1. Roger Bremekamp, term expiring 2024
 - 2. Christine Witham, term expiring 2024
- III. PUBLIC COMMENT PERIOD - The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person**
- IV. APPROVAL OF MINUTES –**
 - A. January 30, 2020 Special Meeting**
 - B. February 4, 2020 Regular Meeting**
- V. ADOPTION OF AGENDA**
- VI. FINANCIAL REPORT - Review and possible adoption of a motion to accept the financial statements as presented**
- VII. CONSENT AGENDA - A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:**
 - A. CDBG Grant – Possible motion to apply for a CDBG grant, and accept funding if awarded, on behalf of the Bar Harbor Housing Authority to make overdue repairs to the Rodick Lorraine Apartments.**
- VIII. PUBLIC HEARINGS**
 - A. Special Amusement Permit Renewal: 1932 Criterion Theatre, 35 Cottage St, request for Class 4 Other Entertainment as submitted by Richard Cleary.**
 - B. Fire Prevention Ordinance Amendment #2020-02 – Public comment and possible adoption of the amendment to Chapter 85 of the Municipal Code.**
 - C. FY21 Budget**
 - 1. Public comment on the proposed budget for fiscal year 2021 (July 1, 2020 to June 30, 2021).
 - 2. Possible adoption of the proposed budget as presented/amended and recommend it to the Warrant Committee.

D. LUO Amendments June 2020 - Public comment and possible motion to sign the orders placing the following LUO amendments on the June 9, 2020 annual town meeting warrant.

1. **Addressing Officer**
2. **Permitting Authority etc.**
3. **Employee Living Quarters**
4. **Shared Accommodations**
5. **Boundary Map Amendment & New Uses in Hulls Cove**

IX. REGULAR BUSINESS:

- A. Age Friendly Committee Report** – Annual update by Committee Member Martha Searchfield.
- B. Vacation Rentals** – Update from Planning Director and possible motion to schedule a workshop with the Planning Board.
- C. Treasurer’s Warrants** – Request of Treasurer to authorize paid bills.

X. TOWN MANAGER’S COMMENTS

XI. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

XII. EXECUTIVE SESSION: (None Scheduled)

XIII. ADJOURNMENT

To ensure your full participation in this meeting, please inform us of any special requirements you might have due to a disability. Call 288-4098.

Manager's Memo

To: Bar Harbor Town Council
cc: Department Heads
From: Cornell Knight, Town Manager
Date: Friday, February 14, 2020
Re: **Town Council Meeting of February 18th**

- I. **A. Excused Absence(s)** – None that I am aware of but if there is one a possible motion: to excuse Councilor _____ as provided by Town Charter section C-12.B(1)(d).
- II. **COMMITTEE APPOINTMENTS** – Nomination(s) are made no second is needed. There are 2 seats open on the Bar Harbor Housing Authority Board.
- VI. **FINANCIAL REPORT** - Finance Director Stan Harmon has enclosed his report covering the first 7 months of the 2020 fiscal year. He will attend to review the highlights. If acceptable, a possible motion: to accept the Financial Report as presented.
- VII. **CONSENT AGENDA** - A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:
 - A. **CDBG Grant** – The Bar Harbor Housing Authority is eligible to receive Community Development Block Grant funds if the town is the applicant. See the enclosed memo from Michele Gagnon, Planning Director regarding the request. A possible motion: to apply for a CDBG grant, and accept funding if awarded, on behalf of the Bar Harbor Housing Authority to make repairs to the Rodick Lorraine Apartments.

A possible motion: to approve the Consent Agenda as published.
- VIII. **PUBLIC HEARINGS**
 - A. **Special Amusement Permit Renewal: 1932 Criterion Theatre, 35 Cottage St.** following public comments, a possible motion: to approve the special amusement permit to the 1932 Criterion Theatre for a Class 4 Other Entertainment as submitted by Richard Cleary.
 - B. **Fire Prevention Ordinance Amendment #2020-02** – See last month's memo from Angela Chamberlain regarding the need to amend the ordinance to resolve conflicts with MUBEC. Following public comment, a possible motion: to adopt the amendments to Fire Prevention Ordinance Chapter 85 of the Municipal Code as presented.
 - C. **FY21 Budget** – Please bring your budget book. The estimated property tax rate increase, assuming the school, county and valuations hold, is 1.5%. The mil rate would increase from \$11.86 to \$12.03. As proposed, the tax increase on a

median valued home (\$286,700) would be \$50. Attached is the updated Memo and Tax Calculation sheet that followed your review of the budget. The budget is available for review on the Town's website, under Finance Department, Budgets. Following public comment a possible motion: to adopt the proposed 2021 municipal budget (with) without changes and recommend it to the Warrant Committee.

D. LUO Amendments – Enclosed are the 5 orders to place the amendment questions on the June town meeting warrant.

- 1.Addressing Officer-** following public comments, a possible motion: to sign the Addressing Officer Order and place the amendment on the June 9, 2020 annual town meeting warrant.
- 2.Permitting Authority** - following public comments a possible motion: to sign the Permitting Authority Order and place the amendment on the June 9, 2020 annual town meeting warrant.
- 3.Employee Living Quarters** - following public comments a possible motion: to sign the Employee Living Quarters Order and place the amendment on the June 9, 2020 annual town meeting warrant.
- 4.Shared Accommodations** - following public comments a possible motion: to sign the Shared Accommodations Order and place the amendment on the June 9, 2020 annual town meeting warrant.
- 5.Boundary Map Amendment & New Uses in Hulls Cove** - Enclosed is a memo from Eben Salvatore explaining the requested zoning change. Following public comments, a possible motion: to sign the Boundary Map and New Uses in Hulls Cove Order and place the amendment on the June 9, 2020 annual town meeting warrant.

IX. REGULAR BUSINESS:

- A. Age Friendly Committee** – Enclosed is a report from the committee. Committee Member Martha Searchfield will attend to review the committee's work this past year and answer questions. A possible motion: to thank Martha Searchfield for the Age Friendly Committee's report and place it on file.
- B. Vacation Rentals** – Enclosed is a report from Michele Gagnon Planning Director regarding the work underway on the Vacation Rental land use amendments and an updated schedule that proposes a workshop with the Planning Board. A possible motion: to schedule a workshop with the Planning Board for Wednesday March 11 at 6 pm to discuss vacation rental amendments.
- C. Treasurer's Warrant** – A possible motion: to sign the Treasurer's Warrants for paid bills.

Minutes
Special Bar Harbor Town Council
January 30, 2020

I. **CALL TO ORDER** – 6:00 pm – In attendance were Councilors Stephen Coston, Gary Friedmann, Jeff Dobbs, Matt Hochman, Joe Minutolo, Jill Goldthwait, Erin Cough; and Town Manager Cornell Knight.

II. **SCHOOL & PROTECTIONS BUDGET COST CENTER:**

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A. **School Department** (Tab #10)

Principal Barb Neilly and School Committee members Kristi Losquadro and Lilea Simis spoke to the proposed budget and answered questions regarding the items listed below. Ms. Neilly provided a handout.

Revenues	School 1
Expenses	School 2

Topics of discussion: health insurance costs, ramped up Health and Wellness, wage increases, increases for Special Education, co-curricular stipends, the district assessment.

Capital Improvement Program (CIP Tab #6)

School	CIP Expenses 6
Narrative	CIP Narrative 20-21

Topics of discussion: hold on water main, boilers as needed, HVAC-\$17,000 of work done, received bids for kitchen equipment (approx. \$45,000), CIP funds that are not used, building plan process.

No action taken.

B. **Police Department**

Police Chief Jim Willis addressed Council comments and questions regarding the items listed below. Administrative Assistant Karen Richter was also present.

Revenues & Fees Schedule

Revenues	Revenues 2
Fees Schedule	Rev: Fees 9

Parking fees in the fee schedule have not been updated. IPS started collections this week.

Expenses

Police Department	Expenses 6
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Topics of discussion: wages, the new position, shift details, outside hiring of police detail (e.g. HS ball games), computer licensing and support, speed

trailers, longevity.

Dispatch	Expenses 7
Street Lights	Expenses 7

Mr. Knight stated the LED street light conversion will resume March 2 and they will replace the lights they removed on West Street. Discussion on downtown LEDs with no glass.

Capital Improvement Program

Police Department	CIP Expenses 3
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Topics of discussion: purchase of additional kiosk, warranty and work on meters and kiosks, tasers.

Dispatch	CIP Expenses 3
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Discussed new equipment and work station console.

Narrative	CIP Narrative 13-15
List of Equipment	CIP 23-24

No action taken.

C. Parking Meter Fund (Tab #5)

Chief Willis addressed questions and comments. Eben Salvatore, Chair of the Parking Solutions Task Force, also participated in the discussion.

Revenues	PM-2
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Finance Director Stan Harmon stated revenues continue to be estimates since we haven't had a full fiscal year yet of the parking program.

Expenses

Operations	PM-3,4
Capital	PM-3-4

Topics of discussion: wages, 1/3 of new police position is in parking, administrative services and staff time, software support, placement and repairs of meters (particularly when hit), electric vehicle charging stations.

Parking Solutions Task Force Recommendations	PM-6
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Topics of discussion: winter parking ban, future fund management, bike paths (also signs and striping), land acquisition (see highway), use of school lot for satellite parking.

No action taken.

D. Fire Department

Fire Chief Matt Bartlett addressed Council comments and questions regarding the items listed below.

Revenues & Fees Schedule

Revenues	Revenues 2
Fees Schedule (Ambulance)	Rev: Fees 5
Expenses	
Fire Department	Expenses 5
Public Fire Protections	Expenses 5
Public Safety Building	Expenses 7

Topics of discussion: repairs, leave overtime, computer licensing and support, collections.

Capital Improvement Program

Ambulance	CIP Expenses 2
Fire Department	CIP Expenses 2
Public Safety Building	CIP Expenses 3
Narrative	CIP Narrative 12-13
List of Equipment	CIP 23

Topics of discussion: roof, boiler, air horn and other building repairs, ambulance replacement, internal communication system, efficient use of internal space, future building replacement and possible funding.

No action taken.

E. Operating Transfers Out from General Fund

To CIP	Expenses 12
To School	Expenses 12

Mr. Harmon answered Council questions. No action taken.

III. Review of Proposed Budget – Possible changes to proposed budget. Mr. Harmon recapped budget changes so far:

1. Delete Cooperating Agency Community Health and Counseling Services #1068-5948 in the amount of \$568
2. Add Climate Change Task Force #1036-5356 in the amount of \$20,000
3. Add CIP Energy Audits/Improvements #2124-6136 in the amount of \$10,000
4. On 1/27 notice that school reduced budget by \$7,175

Mr. Knight asked Council to consider possibly increasing municipal staff wages by an additional 1% to be more in line with the increase in wages for the school. Right now the municipal staff wage increase is the COLA.

Mr. Minutolo has continued recusal due to his relationship with the town planner, and left the room.

The estimated total wage increase across all departments is \$35,000. Mr. Harmon

added that the above changes, along with this proposed change, would result in an increase of 1.5% instead of the original proposed 1.2%.

Ms. Cough, with second by Mr. Hochman, moved to increase wages by 1% to be more in line with the increase in wages for the school. Motion passed 6-0-1 (Recused: Minutolo.)

IV. **FY21 Budget** – *Possible motion to:*

- A. *Tentatively adopt the budget as proposed/amended*
- B. *Submit FY21 Budget to the Warrant Committee as proposed/amended*
- C. *Schedule a public hearing Tuesday, February 18, 2020.*

Mr. Hochman, with second by Ms. Cough, moved to tentatively adopt the FY21 budget as amended, submit the FY21 budget to the Warrant Committee as amended, and schedule a public hearing for Tuesday, February 18, 2020. Motion passed 7-0.

V. **REMINDER – Special Meeting** – *March 24, 2020 with the Warrant Committee.*

VI. **ADJOURNMENT** – Mr. Hochman, with second by Mr. Coston, moved to adjourn at 7:48pm. Motion passed 7-0.

Sharon M. Linscott, Town Clerk

Minutes
Bar Harbor Town Council
February 4, 2020

- I. **CALL TO ORDER** – 7:00 P.M.-In attendance were Councilors: Jefferson Dobbs, Matthew Hochman, Stephen Coston, Gary Friedmann, Erin Cough, Jill Goldthwait, Joe Minutolo; and Town Manager Cornell Knight.
- A. **Excused Absence(s)** – all present.
- II. **PUBLIC COMMENT PERIOD** - *The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person.* – Jim O’Connell expressed his views on the distinction between hotels, motels and weekly rentals and spoke in favor of weekly rentals.
- III. **APPROVAL OF MINUTES** –
- A. **January 21, 2020 Regular Meeting**
Mr. Hochman, with second by Ms. Cough, moved to approve the January 21, 2020 Regular Meeting minutes as presented. Motion passed 7-0.
- B. **January 23, 2020 Special Meeting**
Mr. Hochman, with second by Ms. Cough, moved to approve the January 23, 2020 Special Meeting minutes as presented. Motion passed 7-0.
- C. **January 28, 2020 Special Meeting**
Mr. Hochman, with second by Ms. Cough, moved to approve the January 28, 2020 Special Meeting minutes as presented. Motion passed 7-0.
- IV. **ADOPTION OF AGENDA** – Mr. Hochman, with second by Ms. Cough, moved to adopt the agenda as presented. Motion passed 7-0.
- V. **CONSENT AGENDA** - *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*
- A. **Certification of Property Owners and Abutters Mailing Lists** – *Possible motion* to sign the certification of the mailing list used for notice of the Town Council’s Public Hearing February 18, 2020 for five LUO Amendments for the June 9, 2020 annual town meeting warrant.
- B. **Maine Service Centers Coalition** - *Possible motion* to adopt the resolution to renew membership in the Service Center Coalition and appoint the Town Manager as representative.
- C. **Statutory Officers** – *Possible motion* to appoint Patrick Lessard as Deputy Local Plumbing Inspector and Deputy Electrical Inspector.
- Mr. Hochman, with second by Ms. Cough, moved to approve the Consent Agenda as published. Motion passed 7-0.
- VI. **REGULAR BUSINESS:**

- A. **Cruise Ship Committee** – *Review of the 2019 Annual Report by Committee Chair Eben Salvatore and possible motion to accept and file report.* Mr. Salvatore summarized the report and addressed Council questions and comments. Following a lengthy discussion, Mr. Friedmann, with second by Mr. Hochman, moved to direct the Cruise Ship Committee to direct their efforts toward further visitor impact studies on the local population. Motion passed 7-0. Mr. Hochman, with second by Ms. Cough, moved to thank the Cruise Ship Committee for their report and place it on file. Motion passed 7-0.
- B. **Rules of Order** – *Possible motion to approve amendments.* Mr. Friedmann, with second by Mr. Hochman, moved to approve the Rules of Order as presented. Motion passed 7-0.
- C. **Combined Middle School** – *Clarification on straw poll wording for June 2020 ballot.* Kristi Losquadro, a member of the school board but not the middle school committee, participated in the discussion. Mr. Hochman, with second by Ms. Cough, moved to strike the note about what a yes/no vote would mean. Motion passed 7-0.
- D. **Treasurer’s Warrant** - *Request of Treasurer to authorize paid bills.* – Mr. Friedmann, with second by Mr. Hochman, moved to sign the Treasurer’s Warrants for paid bills. Motion passed 7-0.

VII. TOWN MANAGER’S COMMENTS – Mr. Knight announced the school committee will have a workshop on 2/24 at 4:00 in the library to discuss the building committee options for renovations or additions or new construction. He also stated that ½ the street light project was completed when they had to leave a month ago for various reasons. They will restart March 2.

VIII. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Friedmann inquired whether the Climate Task Force openings had been advertised and if we had any applications. Town Clerk Sharon Linscott stated it was advertised in the Islander and on the website and we have received 3 applications.

Mr. Hochman thanked the Council for a spirited discussion on cruise ships. We all have different opinions but that really moves us forward. He thanked everyone for their passion.

Mr. Dobbs asked about an agenda item for further discussion on cruise ships. The consensus was to put it on the first meeting in April.

IX. EXECUTIVE SESSION: (none)

X. ADJOURNMENT – Mr. Hochman, with second by Ms. Cough, moved to adjourn at 8:38 p.m. Motion passed 7-0.

Sharon M Linscott, Town Clerk

Memo



To: Town Councilors; Cornell Knight
 From: Stan Harmon, Finance Director
 CC: ~~Department~~ - SHARON
 Date: 2/11/2020
 Re: Fiscal Year 2020 – January 31, 2020 – 7 Months Results

General Fund

Attached are the financial results for 7 months of operations for FY 2020 through January.

Expenditures (58% goal)

The January summary statements show 60.7% spent versus a comparable 60.2% of the budget spent last year because of the typically heavier seasonality of summer spending. 60.4% of the \$4.1 million in budgeted municipal wages are spent year-to-date compared to 57.9% in January 2019; again, primarily due to an extra payroll booked this January (timing). Legal is trending higher right now along with Dispatch; however, early savings in Streetlight electricity is beginning to appear, although completion of the LED conversion project is delayed.

Non-Property Tax Revenues (58% goal)

64% of the budget for non-property tax revenues is now collected versus 70% at this point last year. With seven months of activity booked we remain on an early path to hit most of the various budget targets for the year with the likely exceptions of Vacation rental permit income for the year (\$250), as that is still a relative unknown and we are experiencing the full year of loss of Sonogee runs in Ambulance that were mostly covered by Medicare reimbursements. All the PILOT contributions came in early this year. The Town has received \$8050 in Efficiency Maine rebate incentives this year, with the monies being credited to reduce the CIP related expenses of the ongoing LED light conversion project.

Ambulance Revenues - Loss of Sonogee explains the lower runs

FY 2020	7 Months YTD Runs Billed	406	Ave. <u>Gross</u> Billing (per run)	\$694
FY 2019	7 Months YTD Runs Billed	528	Avg. <u>Gross</u> Billing (per run)	\$662
FY 2018	7 Months YTD Runs Billed	562	Avg. <u>Gross</u> Billing (per run)	\$655

FY 2020	7 Months YTD	Runs billed	406	<u>Net Collections</u> (per run)	\$361
FY 2019	7 Months YTD	Runs billed	528	<u>Net Collections</u> (per run)	\$422
FY 2018	7 Months YTD	Runs billed	562	<u>Net Collections</u> (per run)	\$433

		<u>1/31/2020</u>	<u>1/31/2019</u>
Ambulance Accounts Receivable		\$247,054	\$252,679

Excise-Motor Vehicle Revenues- data indicates we are up 2% over last year in gross \$.

FY 2020	7 Months YTD	3028 units	\$653,548	=\$215 / per vehicle
FY 2019	7 Months YTD	2986 units	\$635,340	=\$213 / per vehicle
FY 2018	7 Months YTD	2874 units	\$625,365	=\$217 / per vehicle
FY 2017	7 Months YTD	2807 units	\$600,583	=\$213 / per vehicle

Building Permitting Revenue-

FY 2020	7 Months YTD	169 permits	\$ 68,230	=\$404 / permit
FY 2019	7 Months YTD	168 permits	\$ 45,729	=\$303 / permit
FY 2018	7 Months YTD	149 permits	\$ 64,453	=\$466 / permit

Vacation Rentals-rentals expire & renew May 31st

		<u>Budget</u>	<u>Actual</u>
FY2020	7 Months YTD	\$175,000	\$16,550
FY2019	7 Months YTD	\$ 900	\$ 1,700

FY '20 Previously Authorized Council Budget Adjustments or Transfers:

Contingency Fund Activity for FY '20:

Beginning Balance	(Town Meeting Approval)	\$53,366
Minutes-10/15/10 -Park St. School Landscape Design (cancelled)		- 0
Minutes-11/19/19 -Ambulance Billing software (to #1042-5368)		-7,188
Minutes-1/7/20 -FireAlarm System-Kids Corner (not to exceed)		<u>-8,721</u>
Ending Balance	@ 1/31/20 (available #1036-5906)	\$37,457

Other General Fund Transfers: Town Council 10/1/2019

From: #1022-5700 -TSA Comp. Eqpmt -\$ 10,000

Capital Improvement Transfers/Adjustments:

To: #2122-6117 -PD-Virtual Desktops	\$ 5,000
To: #2122-6124 -PD-Car Video Storage	\$ 5,000
From: 2142-6214-Fire Tr#2	-\$173,005
From: 2142-6218-Ladder Tr	-\$ 36,865
To: 2142-Fire Eng Tr #5	\$209,870
TC 1/21/20 From: 2182-6190-Undesignated	-\$ 60,000
To: 2149-6246-PSBldg Renov.	\$ 60,000

Cruise Ship Fund Transfers: NONE

Parking Fund Transfers: NONE

Property Tax Collection & Receivable Update:

The 2019 tax collections are just a bit behind the prior year.

<u>Year</u>	<u>Property Taxes Outstanding Balance</u>	<u>@ 1/31/20</u>		<u>@ 1/31/19</u>	
		<u>\$</u>	<u>%</u>	<u>\$</u>	<u>%</u>
2007-12	\$ 20,035		0.1%	\$ 20,653	0.1%
2013	\$ 2,870		0.1%	\$ 3,097	0.1%
2014	\$ 3,071		0.1%	\$ 3,105	0.1%
2015	\$ 3,728		0.1%	\$ 3,517	0.1%
2016	\$ 3,565		0.1%	\$ 4,557	0.1%
2017	\$ 12,471		0.1%	\$ 185,546	1.2%
2018	\$ 363,113		2.1%	\$ 6,834,861	39.3%
2019	\$ 7,177,643		40.1%		

Cash Investment and Status Report / Banking

On January 31st, the Town had \$16,200,000 on hand in all funds—approximately \$2.9 million more than last year’s total balances at this same time period, due to new Parking fees received, the timing of CIP payments and higher fund balances. Checking interest rates have dropped to 1.36% vs. 2.10% last year.

Wastewater Division Fund

Financials (58% - 7 month Benchmark)

	<u>Annual Budget</u>	<u>Jan YTD Actual</u>	<u>% Spent</u>
Spending shows the following:			
<i>Oper & Maint-FY2020-this year</i>	\$1,505,039	\$846,650	56%
<i>Oper & Maint-FY2019-last year</i>	\$1,469,846	\$759,204	52%
	<u>1/31/2020</u>	<u>1/31/2019</u>	
Accounts Receivable-Wastewater	\$224,826	\$252,052	

QTRLY Sewer/Water Billing

The January 1st quarterly bills that were mailed in early January showed a slight decrease of ½% in total sewer volume and a 2% decrease in water volume compared to the same quarter’s usage last year (October to December). JaxLab & Commercial volume were down but Residential usage was up.

Water Division Fund

Financials (58%-7 month Benchmark)

	<u>Annual Budget</u>	<u>Jan YTD Actual</u>	<u>% Spent</u>
Spending shows the following:			
<i>Oper & Maint-FY2020-this year</i>	\$1,126,055	\$638,891	57%
<i>Oper & Maint-FY2019-last year</i>	\$1,106,634	\$593,628	54%
	<u>1/31/2020</u>	<u>1/31/2019</u>	
Accounts Receivable-Water	\$116,187	\$122,461	

Technology

In January, Steve attended a parking planning meeting with staff at the PD; spec'd and built a new DMV PC, various planning sessions on renovating the Dispatch area, work with Brown's on moving the related radios to the PSB basement, G&G on Electrical wiring, install two new switches at the PD; migrate all Fire PC user profiles and install a new Fire PC, ordered a new tablet for Assessing, helped coordinate and migrate a new centralized Facebook central account with the TClerk, assist Planning & Code with moving tech equipment for their reshuffling of offices, install replacement software for the WW camera trailer, assist the new PWDirector with her equipment, install new wireless access point at HWY, wire in and program a switch for the new Revision battery backup programming system at HWY, attended a security camera review with the PD & schools and chased some VMWare VDP back up issues with the database.

Assessing

In January, Steve was much involved in created data lists and maps for the Planning Dept presentations for the vacation rental hearings/projects. He also assisted public works and technology with printing schematics for various projects, including finishing a GIS layer for the snowplow routes; helped research information on a historic property and responded to many calls regarding the State Treasurer Homestead checks mailed out in January.

Discretionary Direct spending:

<u>Cruise Ship Fund – Direct Expenses:</u> FY20	<u>Budget</u>	<u>Actual-Jan</u>	
Chamber, Dues, Ins., Isl Explor, etc. FY19	\$173,139	\$89,436	52%
	\$150,112	\$86,482	58%
<u>Parking Fund – Direct Expenses:</u> FY20	<u>Budget</u>	<u>Actual-Jan</u>	
Wages, signs, IPS lic fees, supplies etc.	\$142,865	\$ 95,181	67%

Town of Bar Harbor
Expenses - Period Ending
1/31/20

11-Feb-20

58.3% of Year Completed

General Fund	Dept	A FY '20 Annual Adj'd Budget	B FY '20 7 Months Actual	C FY '19 12 Months Pre-Audit	D Bud Variance Under (over) Col. A-B	E % Spent of Budget (B/A=E)	FY '18 12 Months Actual	Comments on variances
Town Council	10	\$ 39,992	\$ 14,092	\$ 35,212	9,223	35.2%	\$ 33,267	Timing
Town Manager	12	\$ 131,109	\$ 76,683	\$ 124,862	(246)	58.5%	\$ 120,121	
Town Clerk	14	\$ 126,986	\$ 74,136	\$ 118,345	(103)	58.4%	\$ 111,685	
Finance Dept.	16	\$ 357,476	\$ 227,909	\$ 352,773	(19,500)	63.8%	\$ 322,520	Timing
Town Attorney	18	\$ 47,950	\$ 30,121	\$ 54,220	(2,166)	62.8%	\$ 18,858	Higher Trend
Elections	20	\$ 18,734	\$ 3,777	\$ 13,189	7,145	20.2%	\$ 18,326	Timing
Technology	22	\$ 165,474	\$ 100,075	\$ 155,231	(3,604)	60.5%	\$ 125,165	
Municipal Building	24	\$ 79,511	\$ 45,022	\$ 86,046	1,333	56.6%	\$ 73,551	
Town Offices	26	\$ 42,745	\$ 32,071	\$ 43,163	(7,151)	75.0%	\$ 37,465	Timing
Employee Benefits	28	\$ 1,606,159	\$ 924,950	\$ 1,505,015	11,441	57.6%	\$ 1,436,019	
Code Enforcement	30	\$ 101,923	\$ 54,093	\$ 74,430	5,328	53.1%	\$ 65,125	Timing
Assessing Dept.	32	\$ 151,158	\$ 94,051	\$ 137,892	(5,926)	62.2%	\$ 126,884	Timing
Planning Dept.	34	\$ 221,203	\$ 114,557	\$ 126,426	14,404	51.8%	\$ 134,624	Timing
Miscellaneous	36	\$ 239,395	\$ 154,790	\$ 201,464	(15,223)	64.7%	\$ 209,267	Timing
Fire / Ambulance Dept	42	\$ 941,785	\$ 587,030	\$ 885,013	(37,969)	62.3%	\$ 800,244	Timing
Hydrants-Public Fire	43	\$ 585,602	\$ 439,203	\$ 585,604	(97,797)	75.0%	\$ 585,604	Timing
Police Dept.	45	\$ 1,283,376	\$ 789,947	\$ 1,272,780	(41,739)	61.6%	\$ 1,036,534	
Dispatch Division	47	\$ 234,854	\$ 148,937	\$ 220,185	(12,017)	63.4%	\$ 214,261	Higher Trend
Public Safety Bldg.	49	\$ 49,904	\$ 29,566	\$ 45,930	(472)	59.2%	\$ 35,282	
Street Lights	51	\$ 73,575	\$ 38,770	\$ 65,925	4,124	52.7%	\$ 71,608	Lower Trend
Harbor Dept.	53	\$ 125,758	\$ 78,110	\$ 126,722	(4,793)	62.1%	\$ 111,474	Timing-seasonal
Parks & Rec & Glen M	59	\$ 438,577	\$ 257,415	\$ 416,358	(1,725)	58.7%	\$ 236,375	
General Assistance	63/66	\$ 1,187	\$ 131	\$ 496	561	11.0%	\$ 1,700	
Cooperating Agencies	68	\$ 57,681	\$ 57,681	\$ 45,092	(24,053)	100.0%	\$ 40,038	Timing
Comfort Station	70	\$ 99,728	\$ 70,359	\$ 100,368	(12,218)	70.6%	\$ 93,438	Timing-seasonal
Public Works	75	\$ 153,081	\$ 62,555	\$ 148,951	26,691	40.9%	\$ 143,258	Staff vacancy
Highway Dept	77	\$ 1,125,114	\$ 646,183	\$ 1,082,238	9,758	57.4%	\$ 1,033,837	
Solid Waste	79	\$ 727,340	\$ 453,024	\$ 773,154	(28,985)	62.3%	\$ 641,258	Timing-seasonal
General Fund Totals		\$ 9,227,377	\$ 5,605,238	\$ 8,797,084	\$ (225,677)	60.7%	\$ 7,877,788	
payroll periods		26	16	26		61.5%	26	

FY20 Budget Includes \$55,776 in carryover encumbrances from FY2019

General Fund - Revenues

Town of Bar Harbor
YTD January 31, 2020
58.3% - 7 Months

<u>Department</u>	<u>Budget FY'20 12 Months</u>	<u>Actual FY'20 7 Months</u>	<u>Audited FY'19 12 Months</u>	<u>Bud. Var. Favorable (Unfavorable)</u>	<u>% Rev's Received 58.3% Goal</u>	<u>Variances From Budget Goal Comments</u>
Town Clerk Fees	\$ 24,320	\$ 11,107	\$ 28,186	(3,072)	46%	Timing
Finance Department	\$ 179,396	\$ 97,066	\$ 181,058	(7,522)	54%	
Municipal Building Rents	\$ 33,000	\$ 25,524	\$ 36,705	6,285	77%	Timing-Prepayments
Code Enforcement Permits	\$ 328,800	\$ 122,981	\$ 214,213	(68,709)	37%	Timing/vaca Rentals/Low trend
Planning Fees	\$ 16,550	\$ 8,987	\$ 29,347	(662)	54%	
Ambulance/Fire Fees	\$ 333,200	\$ 146,779	\$ 342,354	(47,477)	44%	Old write offs & Sonogee runs
Police/Dispatch Department	\$ 170,727	\$ 65,726	\$ 216,286	(33,808)	38%	Timing
Harbor Department	\$ 58,900	\$ 57,817	\$ 68,841	23,478	98%	Timing-Seasonal
Parks & Recreation	\$ 800	\$ 750	\$ 900	284	94%	
Highway Division	\$ 11,785	\$ 15,938	\$ 13,442	9,067	135%	Timing
Solid Waste-Recycling	\$ 420	\$ 3,568	\$ 10,275	3,323	850%	
Departmental	\$ 1,157,898	\$ 556,243	\$ 1,141,607	(118,812)	48%	
P.I.L.O.T.'s	\$ 137,265	\$ 151,514	\$ 147,061	71,489	110%	Timing-All PILT's paid
Interest Income	\$ 54,000	\$ 67,406	\$ 149,787	35,924	125%	Timing-Higher trend
Misc, Cable Franch., other	\$ 124,910	\$ 82,401	\$ 135,699	9,578	66%	Timing
Excise & Other Taxes	\$ 1,035,000	\$ 681,029	\$ 1,167,836	77,624	66%	Timing-Seasonal
Intergovernmental	\$ 396,369	\$ 315,401	\$ 336,068	84,318	80%	Timing
Revenues-Subtotal	\$ 2,905,442	\$ 1,853,994	\$ 3,078,058	160,121	64%	
Property Taxes	\$ 17,892,429	\$ 17,917,087	\$ 17,241,788		100%	
Transfers In-CS & Other Funds	\$ 435,692	\$ 59,746	\$ 363,941		14%	Timing
Fund Balance Used	\$ 55,000	\$ -	\$ -		0%	
Grand Total-General Fund	\$ 21,288,563	\$ 19,830,827	\$ 20,683,787		93.2%	
Wastewater Revenues	\$ 2,144,400	\$ 1,398,229	\$ 2,411,183		65%	2 Qtrs billed - in arrears
Water Revenues	\$ 2,151,302	\$ 1,614,889	\$ 2,295,858		75%	3 qtrs billed in Advance
CIP Fund Rev's/Transfers	\$ 3,759,290	\$ 2,970,285	\$ 7,328,506		79%	Timing
Cruise Ship Fund Rev's	\$ 1,133,839	\$ 930,055	\$ 1,023,708		82%	May & June to go
Parking Fund (net of Trans Fees)	\$ 510,750	\$ 1,285,538	\$ 315,765		252%	May & June to go

TOWN OF BAR HARBOR
CASH / INVESTMENT STATUS @ January 31, 2020

Note	Bank	Acct. No.	Purchase	Maturity	Interest Rate	Amount
**CHECKING ACCOUNTS						
GENERAL	BHBT	77548521	GL #10-1140		1.36%	\$ 5,250,000
SEWER	MACHIAS SB	8100333860 / 930	GL #35-1135		0.05%	\$ 66,000
PARKING	MACHIAS SB	100184337	GL #64-1140		0.25%	\$ 19,000
SEWER	BHBT	77548513	GL #35-1140		1.36%	\$ 1,787,000
WATER	BHBT	77548556	GL #40-1140		1.36%	\$ 1,752,000
	Total Checking Accounts					\$ 8,874,000
GENERAL	The 1st		collateralized securities	GL #10-1145	1.26%	\$ 1,201,000
GENERAL	The 1st		collateralized securities	GL #10-1146	1.26%	\$ 1,046,000
PARKING	MACHIAS SB	ICS - CDARS	FDIC custodial bank deposits	GL #64-1120	1.10%	\$ 1,575,000
SEWER	MACHS BK	ICS - CDARS	FDIC custodial bank deposits	GL #35-1120	1.10%	\$ 673,000
**CERTIFICATES OF DEPOSIT: money market						
Gen Fnd	The First	18 months	27-Nov-18	27-Apr-20	2.71%	\$ 90,537
Gen Fnd	BHS&L	18 Months	28-Jun-19	28-Dec-20	2.05%	\$ 116,933
Gen Fnd	BHS&L	18 Months	19-Jun-19	19-Dec-20	2.05%	\$ 117,242
Gen Fnd	UTC-Camden	18 Month CD	11-Aug-18	11-Feb-20	1.50%	\$ 110,085
Gen Fnd	UTC-Camden	12 Month CD	10-Feb-19	10-Feb-20	2.00%	\$ 109,236
Gen Fnd	UTC-Camden	6 Mos.-CDARS	27-Sep-19	26-Mar-20	1.75%	\$ 243,378
#10-1160	Total Certificates of Deposit					\$ 787,411
CIP Reserves: Bar Harbor Banking & Trust - Trust Department @ 12/31/19						
GENERAL	COMB-combined funds		Money Mkt Funds Sweep		1.69%	\$ 170,155
	Toyota Motor Credit Corp		Bond - AA- S&P	4/13/2021	2.95%	\$ 101,508
	JP Morgan Chase Co.		Bond - A- S&P	10/29/2020	2.55%	\$ 100,455
	Mead Johnson		Bond - A- S&P	11/15/2020	3.00%	\$ 70,622
	Apple, Inc.		Bond - AA+ S&P	11/13/2020	2.00%	\$ 110,280
	Bank America Corp.		Bond - A- S&P	10/21/2022	2.52%	\$ 100,973
	ABBVIE Inc.		Bond - A- S&P	11/6/2022	2.90%	\$ 102,062
	Qualcomm Inc.		Bond - A S&P	5/20/2020	2.27%	\$ 100,110
	Boeing		Bond - A+ S&P	10/30/2021	2.35%	\$ 50,486
	Morgan Stanley		CD	1/5/2021	2.00%	\$ 150,508
	US Treasury Note		Note - AAA S&P	9/30/2020	2.75%	\$ 201,610
	Goldman Sachs Bank		CD - AAA S&P	1/31/2020	2.30%	\$ 150,085
	IBM Credit LLC		Bond - A S&P	11/30/2021	3.51%	\$ 103,355
	United Technologies Corp		Bond - A- S&P	5/4/2020	1.90%	\$ 99,951
	Wells Fargo Co.		Bond - A- S&P	7/22/2027	4.30%	\$ 100,382
	Canadian Natl Rwy Co.		Bond - A S&P	12/15/2021	2.85%	\$ 101,467
	Intercontinental Exchange		Bond - A S&P	12/1/2020	2.74%	\$ 100,960
	Wells Fargo Bank NA		CD	9/8/2021	3.06%	\$ 102,408
	UBS AG		Bond - A+ S&P	3/13/2023	2.20%	\$ 96,983
#10-1170	Total In Trust Fund		(45/50-1170)			\$ 2,114,360
TOTALS: All CASH & INVESTMENTS						\$ 16,270,771

Notes: Checking Accounts and money markets above \$250,000 are protected by Bar Harbor Bank's collateral (US Gov't or agency securities) that are held in joint custody at the Federal Reserve Bank of Boston.

GENERAL = Combined General, CIP, School and Cruise Ship Cash

BHBT = Bar Harbor Bank & Trust Co.
 The First = First National Bank Of Damariscotta
 UTC = Camden National Bank
 BHS&L = Bar Harbor Savings & Loan Co.
 MSB = Machias Savings

Town Bond Rating:	Affirmed	March '19	Aa2 Moody's
	Affirmed	March '19	AAA S & P's
State of Maine Bond Rating:		May '12	AA S & P's
State of Maine Bond Rating:		June '14	Aa2 Moody's
State of Maine Bond Rating:		Jan '13	AA Fitch
Hancock County Rating:		Jan '11	Aa2 Moody's
Hancock County Rating:		Jan '11	AA S & P's
U.S. Government Rating:		August '11	AA S & P's



Town of Bar Harbor Planning & Code Department

Memorandum

To: Town Council
Copy: Cornell Knight, Sharon Linscott, and Duane Bartlett
From: Michele Gagnon *MG*
Date: January 7, 2020
RE: CDBG Grant application on behalf of the Bar Harbor Housing Authority

The Bar Harbor Housing Authority (BHHA) wishes to apply for a \$250,000 CDBG Housing Assistance grant to make overdue repairs to the Rodick Lorraine Apartments. The Rodick Lorraine houses low-income elderly and disabled residents. Only municipalities can apply for CDBGs and therefore the town would serve as a "pass through."

The BHHA plans to submit a letter of intent by March 6, 2020 and submit a complete grant application by May 1, 2020. The town, on behalf of BHHA, would be required to hold a Public Hearing prior to the submission of the complete grant application. If the grant is awarded, the monies would be available to BBHA by July 1, 2020. There is no financial commitment on the part of the Town. Staff will commit a minimal amount of time to ensure that BHHA complies with all CDBG requirements.

VIII A



Town of Bar Harbor Application for Special Amusement Permit

Permit Fee
\$129

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 1/29/2020 Application Type: New Renewal Permit Number: _____
(assigned by Town)

Applicant Name: RICHARD CLEARY Business Name: 1932 CRITERION THEATRE

Business Address: 35 Cottage St, Bar Harbor Mailing Address: PO Box 642, Bar Harbor ME
Physical Address in Bar Harbor If different

Type of Business: THEATRE Location to be used: ENTIRE BUILDING
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place?
Use back of page if necessary.

Phone: (207) 288-0829

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below:

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions.
Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

Without Mechanical Amplification

- Class 1 - Single musician
- Class 2 - Two musicians
- Class 3 - Three or more musicians

With Mechanical Amplification

- Class 1a - Single musician
- Class 2a - Two musicians
- Class 3a - Three or more musicians

With Mechanical Amplification and Dancing*

- Class 1ad - Single musician
- Class 2ad - Two musicians
- Class 3ad - Three or more musicians

Other Entertainment or Amusement

- Class 4 - any other type of entertainment,
as provided by 28A MRSA 1054.1.C

*Dancing also requires a state permit & Fire Marshall inspection

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

Richard C Cleary
Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

Sharon M Linscott, Town Clerk

Revised 07/08/2019



VIII B

MEMORANDUM

TO: Town Council Members
CC: Cornell Knight, Town Manager
Michele Gagnon, Planning Director
Matthew Bartlett, Fire Chief
FROM: Angela M Chamberlain, Code Enforcement Officer *AC*
DATE: December 27, 2019
SUBJECT: Chapter 85 Town Code

.....

In an attempt to resolve code conflicts between the Maine Uniform Building and Energy Code (MUBEC) as adopted in chapter 36, and the Life Safety Code adopted in chapter 85, I am proposing an amendment to chapter 85.

Pursuant to 10 M.R.S.A. § 9724, the town of Bar Harbor is required to adopt the Maine Uniform Building and Energy Code. Bar Harbor has voluntarily adopted the **latest** version of the NFPA 101 Life Safety Code which is currently 2018. The latest version of the NFPA code has not been reviewed for conflicts with the MUBEC, or amended in any way to resolve contradictions.

The Technical Building Codes and Standards Board adopts and amends the Maine Uniform Building and Energy Code, and identifies and resolves conflicts of the building code and life safety codes. However, the life safety and fire codes adopted by the State Fire Marshal are not the latest versions. The State Fire Marshal uses the 2009 NFPA 101 Life Safety and the 2006 NFPA 1 Uniform Fire Code.

I am proposing to adopt the 2009 NFPA 101 Life Safety, and the 2006 NFPA 1, Uniform Fire Code as the Life Safety and Fire Prevention Codes in Chapter 85 of the Bar Harbor Town Code.

This will align all our building codes, life safety codes, and fire prevention codes with one another, and will be in alignment with the codes that are applied at the State level. This will make enforcement and application of the codes a consistent and fair process.

In addition, it is the responsibility of the Technical Building Codes and Standards Board to identify and resolve the conflicts between the codes so the town can adopt the codes as they have amended them.

Thank you for your attention to this matter.

Fire Prevention Ordinance Amendment

Town of Bar Harbor

#2020-02

An Amendment to resolve code conflicts with the Maine Uniform Building and Energy Code (MUBEC) in Chapter 36.

The Town of Bar Harbor hereby ordains that Chapter 85, Fire Prevention, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 85 – FIRE PREVENTION

§ 85-1 Life Safety and Fire Prevention Codes.

A. Life Safety Code adopted. ~~The Town of Bar Harbor ordains the most current~~ The 2009 edition of the NFPA 101 Life Safety Code, as amended to avoid conflict with the Maine Uniform Building and Energy Code and as published by the National Fire Protection Association, is hereby adopted as the official Life Safety Code of the Town of Bar Harbor, with the same force and effect as though set out in full herein. A copy of said code shall be kept on file in the office of the Clerk of the Town of Bar Harbor.

(1) Amendments. NFPA 101, Life Safety Code, 2009 edition, is adopted in its published form as if fully set forth herein, with the following amendments and exceptions:

(a) Unvented fuel-fired heaters. Unvented fuel-fired heaters shall not be used in a bedroom or bathroom or in a manufactured home.

(b) Extinguishment Requirements. The following provisions of NFPA # 101, Life Safety Code, 2009 edition, are not incorporated by reference:

[1] Chapter 12, section 12.3.5.3, subsections 3 & 4; and,

[2] Chapter 13, section 13.3.5.3, subsections 1 & 2.

(c) Extinguishment Requirements in One- and Two- Family Dwellings. Section 24.3.5.1 of NFPA 101, Life Safety Code, 2009 edition, is not incorporated by reference.

(d) Stair risers, guards, treads, and tread nosing. The following provisions of NFPA 101, Life Safety Code, 2009 edition, are modified as indicated: The maximum height of risers as prescribed in Chapter 24, Section 24.2.5 is modified to permit a maximum 7 ¾" riser for newly constructed stairs in one- and two family dwellings only. The minimum height of guards as prescribed in Chapter 24, Section 24.2.5 is modified to permit a minimum guard height of 36" for newly constructed stairs in one- and two family dwellings only. The minimum tread

depth as prescribed in Chapter 24, Section 24.2.5 shall be amended to permit a 10" tread depth for newly constructed stairs in one-and two family dwellings only. Tread nosing as prescribed in Chapter 7, Section 7.2.2.3.5 is modified to permit a nosing at least ¾" but not more than 1 ¼" in depth for newly constructed one-and two family dwellings.

(e) Separated Occupancies. Tables 6.1.14.4.1 a & b, "Required Separation of Occupancies (hours.)" shall be crossed referencéd with Table 508.4 Required Separation of Occupancies of the 2015 International Building Code(IBC). Where separation requirements in the two tables conflict, separation requirements set forth in the IBC table control.

(f) Accessory Occupancies. Chapter 6, Section 6.1.14.1.3 of NFPA 101, Life Safety Code, 2009 edition, is not incorporated. Section 508.2 Accessory Occupancies, of the 2015 International Building Code governs.

(g) Dead End Corridors. The following provisions of NFPA 101, Life Safety Code, 2009 edition, are modified as indicated: Chapter 18, Section 18.2.5.2 is modified to require dead end corridors not to exceed 20 feet. Chapter 32, Section 32.3.2.5.4 is modified to require dead end corridors not to exceed 50 feet. Chapter 42, Table 42.2.5 is modified to require that a dead end corridor in an ordinary hazard storage occupancy protected by a sprinkler system not exceed 50 feet. A dead end corridor in an ordinary hazard storage occupancy not protected by a sprinkler shall not exceed 20 ft.

B. Fire Prevention Code adopted. In accordance with 30-A M.R.S.A. § 3003, as amended, the NFPA 1, Uniform Fire Code, 2006 edition, as published by the National Fire Protection Association, is hereby adopted as the Fire Prevention Code of the Town of Bar Harbor. A copy of said code shall be kept on file in the office of the Clerk of the Town of Bar Harbor. Said code is hereby incorporated by reference as the minimum standards for safeguarding life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

(1) Amendments. NFPA 1, Uniform Fire Code, 2006 Edition, is adopted in its published form as if fully set forth herein, with the following amendments and exceptions:

(a) Chapter 13, Section 2.2.2 of NFPA 1, Uniform Fire Code, 2006 edition, is not incorporated.

(b) Chapter 20, Sections 2.3.5; 3.2.1; 4.2.6; 5.2.5.4; 6.2.6; 7.2.6; 8.2.6; 9.2.2; 10.2; and 11.2 of NFPA 1, Uniform Fire Code, 2006 edition, is not incorporated.

(c) Chapter 65, Section 11 of NFPA 1, Uniform Fire Code, 2006 edition, is not incorporated. (See Rules of the State Fire Marshal, Chapter 25, and Title 8 M.R.S.A § 236.)

(d) Chapter 66, Table(s) 66.2.3.2.1.1(a); 66.2.3.2.1.1(b); 66.2.3.2.1.4. of NFPA 1, Uniform Fire Code, 2006 edition, is not incorporated.

(e) Chapter 20, Section 11.1 shall be amended to read as follows:
Chapter 20, Section 11.1 Application. New and existing one-and two-family dwellings shall comply with Section 20.11 and NFPA 101. Chapter 24, Section 3.5.1, of NFPA 101 shall not be incorporated in this rule.

BC. Penalty. The violation of any provision of said Fire Prevention Code or Life Safety Code shall be punishable by a fine of not more than \$500 plus costs and/or imprisonment for not more than six months. This penalty shall be deemed to be exclusive of any other appropriate legal or equitable action. Each day any violation of said code occurs or continues shall constitute a separate offense.

[End of Ordinance]



February 3, 2020

MEMO

To: Town Council

From: Cornell Knight, Town Manager

Re: 2021 Municipal Budget

As per the Town Charter, Article VI Sec C-31-D, I present the municipal budget proposal for Fiscal Year 2021. Utilizing the Parking and Cruise Ship funds for some town operational costs, I anticipate that the municipal portion of the tax commitment will drop by .6% over last year. After factoring in the schools and county budget increases, the overall property tax increase is 1.5%. Go to page 5 of this section to see the property tax breakdown. If budgets are approved as proposed and the valuation estimate is on target then the mil rate would increase from \$11.85 to \$12.03. The median home value of \$286,700 would have a \$50 increase in taxes.

There is a new employee in the Code office and a new supervisory employee in the Police Department to oversee Cruise and Parking operations as well as regular police coverage throughout the year. The police position is funded through parking revenue, cruise ship fees, the Town of Mt. Desert and taxation.

There is a new budget section for the parking fund, tab # 5. There is not a debt request (bond issue) in the general fund. There is additional information regarding the town's debt in the Chart section, pages 11-13.

This budget proposal does exceed LD 1 limits. Additional information about that calculation can be found in the Chart section, page 19.

Wage increases are generally budgeted in the range from 2.6% to 3.0%.

Some highlights in the budget:

Revenues

The use of unassigned fund balance (generally referred to as Surplus) remained the same as last year at \$55,000. I've included the Fund Balance History in the Charts section, page 1. It has steadily improved since 2015.

Vacation Rental fee revenue was reduced to \$125,000 to reflect the estimated number of registrations. Transfers in from the Cruiseship and Parking Funds increased by \$225,012 to \$660,704 to cover services and expenses provided in the General Fund.

Expenditures

Overall spending for municipal operations is up \$536,373 or 5.8%.

Elections 1020- an 18.6% increase to reflect the November 2020 election.

Employment Benefits 1028- There is a sizeable increase (16.8%) due to more participation for retirement, additional employees covered on the health plan and some switching to the family plan. There are also more employees to cover under the HRA account line. More employees will also add to the workers compensation budget.

Code Enforcement 1030- The budget is increased to reflect the assistant code officer's position.

Fire/EMS Budget- 1042- Hourly wages increased as per the union contract and to cover the full year of the new employee added last year.

Police 1045- There is a 7.6% increase due in part for wage parity with the Town of Mount Desert. With the joint force the officers should be paid the same. This adjustment will take two years to complete. This parity adjustment also applies to the Dispatch department.

Streetlights 1051- A significant reduction in expenses to reflect the new LED lights.

Non Profit -1059- This budget reflects a 2% increase for inflation.

Cruise Ship Fund

The Cruise Ship Fund reflects a 2.4 % decrease in revenues over last year to \$1,106,127. The fee increased to \$4.55 per passenger. The cruise fund transfers \$394,197 to offset town operation costs and \$406,992 to offset capital improvement costs. One third the cost of the new police supervisor is included in the budget. The Fund Balance will increase to \$748,163.

Parking Fund

The parking revenue estimate is \$1,567,750 for the fiscal year. Some operational expenses (\$260,257) such as road salt, roadside mowing, line striping, police supervision etc. previously paid for by the property tax will be funded by parking revenue. Over \$1.5 million will be transferred to the Capital Improvement Account which includes funding the LED streetlight conversion, ferry terminal paving, Cottage and Main streetscape reserves, sidewalk reserves, road paving and debt service. A memo from the Parking Solutions Task Force with their recommendations is included in the parking budget tab.

Capital Improvements

CIP spending appropriation is up 25% over the FY2020 budget but spending from taxes is down 8% due to the transfer from the Parking Fund.

Assessing- The downtown property revaluation will continue into FY2021.

Planning- Continue funding the Main Street and Cottage Street plans, \$370,000.

Ambulance- replacement of the 2008 ambulance is budgeted at \$180,000.

Fire- There is some catch up to the reserves in this account because of the early replacement of Engine 5, due for delivery this summer. Trucks are not lasting 30 years that had been the previous replacement schedule.

Police- One cruiser is scheduled for purchase. Also rifle purchases and replacements are budgeted at \$24,000.

Public Safety Building- \$50,000 reserve set aside for PD roof replacement in 2022.

Harbor- \$280,000 funding for paving and other work at the ferry terminal site.

Highway- Additional funding for road paving from the parking fund. Repayment of the lease purchase agreement to change over the streetlights to LED's is included (a 3 year plan) and also paid for from parking revenue.

Debt Service- parking revenue is denoted by * and cruise ship revenue by ** for payments on the debt service.

Bar Harbor FY 2021 Budget Tax Calculation

DEPARTMENT EXPENSE SUMMARIES	FY18	FY19	FY20	FY21	CHANGE	
	Actual	Actual	Orig. Budget	Town Council		
Town Council	\$ 33,603	\$ 35,212	\$ 39,992	\$ 36,562	\$ (3,430)	-8.6%
Town Manager	\$ 122,487	\$ 124,862	\$ 131,109	\$ 133,461	\$ 2,352	1.8%
Town Clerk	\$ 114,360	\$ 118,345	\$ 124,552	\$ 126,771	\$ 2,219	1.8%
Finance Dept	\$ 336,097	\$ 352,773	\$ 357,476	\$ 366,578	\$ 9,102	2.5%
Town Attorney	\$ 39,788	\$ 54,220	\$ 47,950	\$ 47,950	\$ -	0.0%
Elections	\$ 11,311	\$ 13,189	\$ 18,734	\$ 22,227	\$ 3,493	18.6%
Technology	\$ 177,599	\$ 155,231	\$ 164,874	\$ 159,654	\$ (5,220)	-3.2%
Municipal Building	\$ 74,682	\$ 86,046	\$ 79,511	\$ 81,632	\$ 2,121	2.7%
Town Offices	\$ 38,898	\$ 43,163	\$ 42,745	\$ 44,045	\$ 1,300	3.0%
Employee Benefits	\$ 1,573,455	\$ 1,505,015	\$ 1,598,164	\$ 1,867,094	\$ 268,930	16.8%
Code Enforcement	\$ 75,499	\$ 74,430	\$ 101,923	\$ 135,662	\$ 33,739	33.1%
Assessing	\$ 132,787	\$ 137,892	\$ 148,088	\$ 152,455	\$ 4,367	2.9%
Planning	\$ 123,272	\$ 126,426	\$ 209,871	\$ 212,897	\$ 3,026	1.4%
Miscellaneous	\$ 213,140	\$ 201,464	\$ 246,583	\$ 307,902	\$ 61,319	24.9%
Fire / EMS	\$ 839,570	\$ 885,013	\$ 933,497	\$ 986,544	\$ 53,047	5.7%
Public Fire Protection	\$ 585,604	\$ 585,604	\$ 585,602	\$ 585,602	\$ -	0.0%
Police Dept.	\$ 1,209,540	\$ 1,272,780	\$ 1,283,376	\$ 1,381,397	\$ 98,021	7.6%
Dispatch	\$ 223,539	\$ 220,185	\$ 234,853	\$ 246,174	\$ 11,321	4.8%
Public Safety Bldg	\$ 41,768	\$ 45,930	\$ 49,904	\$ 45,232	\$ (4,672)	-9.4%
Street Lights	\$ 64,160	\$ 65,925	\$ 71,575	\$ 20,000	\$ (51,575)	-72.1%
Harbor Dept	\$ 119,500	\$ 126,722	\$ 125,758	\$ 136,964	\$ 11,206	8.9%
Parks & Rec	\$ 352,720	\$ 416,358	\$ 438,577	\$ 444,815	\$ 6,238	1.4%
General Assistance	\$ 419	\$ 496	\$ 1,187	\$ 2,460	\$ 1,273	107.2%
Cooperating Agency	\$ 45,092	\$ 45,092	\$ 57,681	\$ 58,267	\$ 586	1.0%
Comfort Station	\$ 98,939	\$ 100,368	\$ 99,728	\$ 103,773	\$ 4,045	4.1%
Public Works	\$ 140,345	\$ 148,951	\$ 153,081	\$ 158,889	\$ 5,808	3.8%
Highway Dept	\$ 1,076,031	\$ 1,082,238	\$ 1,111,669	\$ 1,124,436	\$ 12,767	1.1%
Solid Waste	\$ 711,426	\$ 773,154	\$ 723,540	\$ 728,530	\$ 4,990	0.7%
SUBTOTAL	\$ 8,575,631	\$ 8,797,084	\$ 9,181,600	\$ 9,717,973	\$ 536,373	5.8%
Capital Improvements Transfer	\$ 1,691,003	\$ 2,296,005	\$ 2,508,273	\$ 2,327,983	\$ (180,290)	-7.2%
School Local - Transfer (EST)	\$ 5,400,763	\$ 5,430,046	\$ 5,674,670	\$ 5,898,190	\$ 223,520	3.9%
Other Transfers out	\$ -	\$ -				
TOTAL Expense Taxable	\$ 15,667,397	\$ 16,523,135	\$ 17,364,543	\$ 17,944,146	\$ 579,603	3.3%
Hancock County	\$ 641,082	\$ 698,528	\$ 735,028	\$ 787,028	\$ 52,000	7.1%
MDI High School Assessment (EST)	\$ 3,122,142	\$ 3,152,145	\$ 3,140,660	\$ 3,250,000	\$ 109,340	3.5%
OVERLAY	\$ 44,079	\$ 85,019	\$ 48,332	\$ 48,332	\$ -	0.0%
TOTAL APPROPRIATIONS	\$ 19,474,700	\$ 20,458,827	\$ 21,288,563	\$ 22,029,506	\$ 740,943	3.5%
REVENUES						
General Revenues	\$ 2,836,441	\$ 2,942,654	\$ 2,727,442	\$ 2,814,730	\$ 87,288	3.2%
Reserves-Use of Fund Balance	\$ 85,000	\$ 70,000	\$ 55,000	\$ 55,000	\$ -	0.0%
Transfers In -Cruise Ship & Parkng Fees	\$ 360,066	\$ 364,326	\$ 435,692	\$ 660,704	\$ 225,012	51.6%
SUBTOTAL (REVENUES)	\$ 3,281,507	\$ 3,376,980	\$ 3,218,134	\$ 3,530,434	\$ 312,300	9.7%
State Revenue Sharing	\$ 128,220	\$ 135,186	\$ 178,000	\$ 178,000	\$ -	0.0%
TOTAL DEDUCTIONS	\$ 3,409,727	\$ 3,512,166	\$ 3,396,134	\$ 3,708,434	\$ 312,300	9.2%
Net Commitment	\$16,409,251	\$17,418,116	\$17,892,429	\$18,321,072	\$428,643	2.4%
Taxable Valuation	\$ 1,497,194,400	\$ 1,506,757,400	\$ 1,509,909,600	\$ 1,523,500,000	\$ 13,590,400	0.9%
Mill Rate	10.96	11.56	11.85	12.03	0.18	1.5%
Total Municipal Budget	\$ 10,250,589	\$ 11,175,205	\$ 11,689,873	\$ 12,045,956		
- Total Deductions	\$ 3,049,403	\$ 3,122,827	\$ 3,396,134	\$ 3,708,434		
= Municipal Property Tax	\$ 7,201,186	\$ 8,052,378	\$ 8,293,739	\$ 8,337,522		
LD-1 Levy Limit - maximum	\$ 7,389,121	\$ 7,707,492	\$ 8,016,991	\$ 8,279,884		
Difference for LD-1 (under limit)	\$ (187,935)	\$ 344,886	\$ 276,748	\$ 57,638	\$ -	

Municipal Budget: Budget Summary for Warrant Article

Fund	Appropriation (Expenditures) Requested	Revenues Other Than Prop. Tax	Fund Balance Used	Property Taxes Needed	Tax Rate Change
Assessments					
County Assessment	787,028	0	0	787,028	7.6%
High School Assessment	3,250,000	0	0	3,250,000	2.3%
Overlay	48,332	0	0	48,332	5.7%
Total Assessments	4,085,360	0	0	4,085,360	3.4%
Municipal Budget					
General Fund	9,717,973	3,653,434	0	6,064,539	2.9%
Capital Improvement Program Fund	4,700,159	2,372,176	55,000	2,272,983	-7.9%
Dog Control Reserve Fund	2,900	2,900	0	0	n/a
Shellfish Conservation Reserve Fund	3,300	3,300	0	0	n/a
Cruise Ship Fund	973,500	973,500	0	0	n/a
Parking Meter Fund	2,026,169	1,567,750	458,419	0	n/a
Total Municipal Budget	17,424,001	8,573,060	513,419	8,337,522	-0.6%
	Approp. warrant			LD-1	
Education Budget					
Elementary School Fund	6,763,666	521,000	344,476	5,898,190	3.0%
Total Education Budget	6,763,666	521,000	344,476	5,898,190	3.0%
		8%	5%	87%	
Grand Totals	28,273,027	9,094,060	857,895	18,321,072	1.5%

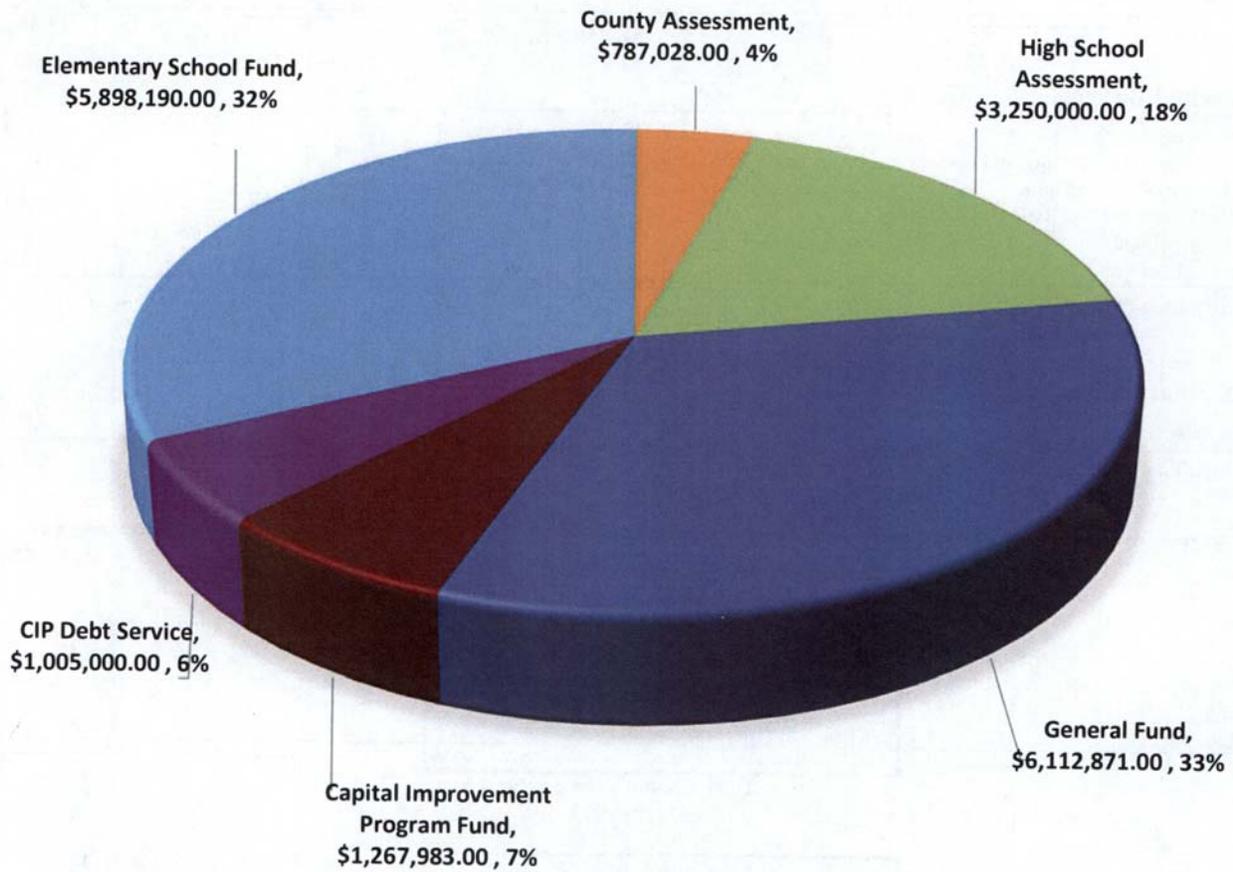
mill rate calc:
18,321,072
 1,523,500,000
 0.01203

Tax Rate Change	
Estimated Tax Rate Next Year	\$12.03
Actual Tax Rate This Year	\$11.85
Est. Tax Rate Increase	\$0.18
	1.5%

Total Taxable Valuation Next Year
 \$1,523,500,000

What Will It Cost Me?		
Median Home Value	Total Tax Increase Per Month	Total Tax Increase Per Year
\$286,700	\$4.20	\$50

TAX BILL BREAKDOWN
PROPERTY TAX COMMITMENT = \$18,321,072



VIII DI

Order
of the Bar Harbor Town Council
For the June 9, 2020 Town Meeting

It is hereby ordered that the following article be placed on the town meeting warrant with voting thereon to be held by Australian ballot:



Warrant Article

Article __ LAND USE ORDINANCE AMENDMENT – Addressing Officer – Shall an ordinance dated December 16, 2019 and entitled “An amendment to Article V, Site Plan Review, to use the term Addressing Officer in place of Municipal Tax Assessor” be enacted?



Addressing Officer

An amendment to Article V, Site Plan Review, to use the term Addressing Officer in place of Municipal Tax Assessor

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]



ARTICLE V Site Plan Review

§ 125-66 Submission requirements

K. Assessor's certification of street names. Written certification of the ~~Municipal Tax Assessor~~ Addressing Officer (as defined in Chapter 5, §5-5) that the proposed street names for proposed streets in the development comply with all requirements for the enhanced 911 system.

§ 125-67 General review standards

G. Streets, sidewalks and access.

(4) Names.

(b) No plan shall be approved unless the Planning Board finds that the ~~Municipal Tax Assessor~~ Addressing Officer (as defined in Chapter 5, §5-5) has issued written certification that proposed street names for proposed streets in the development comply with all requirements for the enhanced 911 system.



EXPLANATION:

The replacement of the words “Municipal Tax Assessor” with the words “Addressing Officer” updates the Land Use Ordinance and aligns it with language used in Chapter 5 (Addressing Ordinance) of the town’s Municipal Code (which took effect November 14, 2019).



Given under our hands and seal at Bar Harbor this eighteenth day of February, 2020.

Municipal Officers of the Town of Bar Harbor



Jefferson Dobbs, Chair



Matthew A. Hochman, Vice Chair



Gary Friedmann



Joseph Minutolo



Stephen Coston



Erin E. Cough



Jill Goldthwait

VIII D2

Order

Of the Bar Harbor Town Council

For the June 9, 2020 Town Meeting

It is hereby ordered that the following article be placed on the annual town meeting warrant with voting thereon to be held by Australian ballot:

Warrant Article

Article ___ LAND USE ORDINANCE AMENDMENT – Permitting Authority for Certain Residential Uses in Certain Districts, Adding a Use in the Shoreland General Development II District, and Removing Uses in the Shoreland Maritime Activities District – Shall an ordinance dated December 16, 2019 and entitled “An amendment to change the level of permitting for multifamily dwelling I uses from the Planning Board to Code Enforcement Officer (CEO) in 22 specific districts; address an inconsistency in the Land Use Ordinance by making the CEO the permitting authority for two-family dwellings in the Village Historic district; change the level of permitting for single-family dwellings in the Shoreland General Development II district from Planning Board to CEO; add two-family dwellings as an allowed use in the Shoreland General Development II district with permitting by CEO; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities district” be enacted?

Permitting Authority for Certain Residential Uses in Certain Districts, Adding a Use in the Shoreland General Development II District, and Removing Uses in the Shoreland Maritime Activities District

An amendment to change the level of permitting for multifamily dwelling I uses from the Planning Board to Code Enforcement Officer (CEO) in 22 specific districts; address an inconsistency in the Land Use Ordinance by making the CEO the permitting authority for two-family dwellings in the Village Historic district; change the level of permitting for single-family dwellings in the Shoreland General Development II district from Planning Board to CEO; add two-family dwellings as an allowed use in the Shoreland General Development II district with permitting by CEO; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities district

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-17 Bar Harbor Gateway

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio; child care family; gallery; government facility; home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); multifamily dwelling I; municipal facility; municipal school; public or private park with minimal structural development; vacation rentals; single-family dwelling and two-family dwelling.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; ~~multifamily dwelling I~~; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking lot; parking deck; parking garage, also subject to Design Review Board certificate of appropriateness; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities.

§ 125-18 Village Historic

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: home occupation; public or private park with minimal structural development; multifamily dwelling I; vacation rentals; single-family dwelling, two-family dwelling; noncommercial greenhouse, and government facility/use.

D. Uses allowed by site plan.

(1) Except for lots with road frontage on or access to Harbor Lane, and only so long as the use is located in a building constructed before June 8, 2010, the following uses shall be permitted in the district: bed-and-breakfast I; eleemosynary; private club.

(2) In addition to the above-noted uses, the following uses shall be permitted for properties with road frontage or access to the Baymeath Road, Lookout Point Road, and the Syndicate Road only: municipal schools, museums, ~~multifamily I, two-family dwellings.~~

§ 125-19 Mount Desert Street Corridor

C. Allowed uses.

(1) Principal uses allowed with a building permit or a change of use permit from the Code Enforcement Officer: art gallery, home occupation, museum, multifamily dwelling I, place of worship; public or private park, single- or two-family dwelling; vacation rentals.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure.

D. Uses allowed by site plan.

(1) Principal uses allowed by minor site plan approval: wind turbines, offices, all types of schools, bed-and-breakfast I and II.

(2) Principal uses allowed by major site plan: convalescent home; multifamily dwelling I and II; theaters.

(3) Principal uses allowed by conditional use permit: retail; restaurants; bed-and-breakfast III and IV.

§ 125-20 Village Residential

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: government facility with road frontage on Route 3 or Eagle Lake Road; home occupation; municipal school; public or private park; single- and two-family dwelling; multifamily dwelling I; roadside stand; vacation rentals.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal use.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: ~~multifamily I~~; nursing/convalescent home in a building constructed before June 8, 2010, road construction.

§ 125-21 Downtown Village I

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; multifamily dwelling I; restaurants and bars; theaters; galleries; services, professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio, eleemosynary institution, place of worship; farmers market; home occupation.

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling ~~I and~~ II; all types of child-care facilities, all types of schools; medical and dental clinics; banks; automobile service stations; hospitals; parking lot; parking deck; road construction; automobile sales lot; automobile repair garage; retirement community.

§ 125-21.1 Downtown Village II

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio; farmers market; single-family dwelling; two-family dwelling; home occupation; multifamily dwelling I.

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling ~~I and~~ II; parking lot; parking deck; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; automobile sales lot; automobile repair garage; retirement community, veterinary clinic.

§ 125-21.2 Downtown Village Transitional

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information; municipal uses; galleries; services;

professional office buildings; vacation rentals; bed-and-breakfast I, II and III; single- and two-family residential; family child-care; food-processing establishments; laundry and dry cleaning; multifamily dwelling I; artist studio; farmers market; home occupation.

(2) Uses allowed by site plan review: multifamily dwelling ~~I and~~ II; parking lot; all other types of child-care facilities; medical clinics; automobile sales lot; automobile repair garage; retirement community.

§ 125-22 Downtown Residential

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Child-care center

Hospital

~~Multifamily dwelling I~~

Parking garage and parking lot

Place of worship

Road construction

Transient accommodations (TA-1)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Commercial garden, greenhouse or nursery

Driveway construction

Farmers' market

Filling/earthmoving activity of 10 cubic yards or more

Noncommercial greenhouse

Multifamily dwelling I

Public or private park with minimal structural development

Single-family dwelling
Two-family dwelling
Undertaking establishment
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-24 Hulls Cove Business

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Bank
Commercial boatyard
Commercial fish pier
Commercial stable
Ferry terminal
Hospital
Light manufacturing/assembly plant
Marina
~~Multifamily dwelling I~~
Multifamily dwelling II

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Commercial art gallery or pottery barn
Commercial garden, greenhouse or nursery
Driveway construction
Farmers' market
Filling/earthmoving activity of 10 cubic yards or more
Multifamily dwelling I

Public or private park with minimal structural development
Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-26 Hulls Cove Residential Corridor

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Campground
Cemetery
~~Multifamily dwelling I~~
Multifamily dwelling II
Place of worship
Road construction
Transient accommodations (TA-1)
Transient accommodations (TA-3)
Transient accommodations (TA-4)
Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Driveway construction
Filling/earthmoving activity of 10 cubic yards or more
Multifamily dwelling I
Noncommercial greenhouse
Noncommercial kennel
Noncommercial stable

Public or private park with minimal structural development
Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-31 Ireson Hill Corridor

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Bank
Campground
Mineral extraction
Mineral extraction and processing
~~Multifamily dwelling I~~
Multifamily dwelling II
Municipal school
Parking lot
Place of worship
Road construction

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Commercial art gallery or pottery barn
Driveway construction
Filling/earthmoving activity of 10 cubic yards or more
Grocery stores
Noncommercial greenhouse
Multifamily dwelling I
Public or private park with minimal structural development

Roadside stand
Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-32 Ireson Hill Residential

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Cemetery
Eleemosynary, educational or scientific institution
~~Multifamily dwelling I~~
Municipal school
Place of worship
Road construction
Transient accommodations (TA-1)
Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Driveway construction
Filling/earthmoving activity of 10 cubic yards or more
Multifamily dwelling I
Noncommercial greenhouse
Noncommercial stable
Public or private park with minimal structural development
Roadside stand
Single-family dwelling

Two-family dwelling

Uses or small structures accessory to permitted uses or structures

Vacation rentals

§ 125-37 Salisbury Cove Corridor

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Cemetery

Kennel, boarding

~~Multifamily dwelling I~~

Multifamily dwelling II

Place of worship

Road construction

Transient accommodations (TA-1)

Transient accommodations (TA-2)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

Transient accommodations (TA-5)

Transient accommodations (TA-6)

Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Commercial garden, greenhouse or nursery

Driveway construction

Farmers' market

Filling/earthmoving activity of 10 cubic yards or more

Kennel

Multifamily dwelling I

Noncommercial greenhouse

Noncommercial kennel

Noncommercial stable

Public or private park with minimal structural development

Single-family dwelling

Two-family dwelling

Uses or small structures accessory to permitted uses or structures

Vacation rentals

§ 125-38 Salisbury Cove Residential

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Kennel, boarding

~~Multifamily dwelling I~~

Road construction

Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Kennel

Multifamily dwelling I

Noncommercial greenhouse

Noncommercial kennel

Noncommercial stable

Public or private park with minimal structural development

Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-40 Salisbury Cove Village

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Eleemosynary, educational or scientific institution

Marina

~~Multifamily dwelling I~~

Place of worship

Road construction

Transient accommodations (TA-1)

Transient accommodations (TA-2)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Multifamily dwelling I

Noncommercial greenhouse

Noncommercial kennel

Noncommercial stable

Public or private park with minimal structural development

Roadside stand

Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-43 Town Hill Business

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Automobile repair garage
Automobile sales lot
Automobile service station
Bank
Campground
Commercial boatyard
Eleemosynary, educational or scientific institution
Food processing and freezing (excluding slaughterhouse)
Food processing and freezing
Hospital
Light manufacturing/assembly plant
Mobile home park
~~Multifamily dwelling I~~
Multifamily dwelling II
Municipal school
Newspaper or printing facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Commercial art gallery or pottery barn

Commercial garden, greenhouse or nursery
Driveway construction
Farmers' market
Filling/earthmoving activity of 10 cubic yards or more
Grocery stores
Multifamily dwelling I
Noncommercial greenhouse
Noncommercial kennel
Noncommercial stable
Public or private park with minimal structural development

§ 125-44 Town Hill Residential Corridor

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Agriculture, commercial
Campground
Cemetery
~~Multifamily dwelling I~~
Multifamily dwelling II
Municipal school
Municipal facility and grounds
Place of worship
Road construction
Transient accommodations (TA-1)
Transient accommodations (TA-3)
Transient accommodations (TA-4)
Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Commercial garden, greenhouse or nursery
Driveway construction
Filling/earthmoving activity of 10 cubic yards or more
Multifamily dwelling I
Noncommercial greenhouse
Noncommercial kennel
Noncommercial stable
Public or private park with minimal structural development
Roadside stand
Single-family dwelling
Two-family dwelling

§ 125-45 Town Hill Residential

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Agriculture, commercial
Campground
Cemetery
Commercial stable
Marina
Mobile home park
~~Multifamily dwelling I~~
Municipal facility and grounds
Municipal school
Place of worship
Road construction
Transient accommodations (TA-1)

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Commercial garden, greenhouse or nursery

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Multifamily dwelling I

Noncommercial greenhouse

Noncommercial kennel

Noncommercial stable

§ 125-47 Shoreland General Development I

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Cocktail lounge

Commercial fish pier

Commercial structure

Essential services accessory to a permitted use or structure

Ferry terminal

Gift shops

Marina

~~Multifamily dwelling I~~

Multifamily dwelling II

Municipal facility and grounds

Recreational boating facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Multifamily dwelling I

Public or private park with minimal structural development

Single-family dwelling

Two-family dwelling

Uses or small structures accessory to permitted uses or structures

Vacation rentals

§ 125-49 Shoreland General Development II

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Commercial fish pier

Commercial structure

Eleemosynary, educational or scientific institution

Essential services accessory to a permitted use or structure

Ferry terminal

Marina

~~Multifamily dwelling I~~

Multifamily dwelling II

Road construction

~~Single-family dwelling~~

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Multifamily dwelling I

Public or private park with minimal structural development

Single-family dwelling

Small, nonresidential facility, without structures, for educational, scientific or nature interpretation purposes

Two-family dwelling

Uses or small structures accessory to permitted uses or structures

Vacation rentals

§ 125-49.1 Shoreland General Development III

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio, child care, family, gallery, government facility, home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); multifamily dwelling I; municipal facility, municipal school; public or private park with minimal structural development; all vacation rentals; single-family dwelling and two-family dwelling.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; ~~multifamily dwelling I~~; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking lot; parking deck; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities.

§ 125-49.2 Shoreland General Development IV

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: single-family dwelling, two-family dwelling, multifamily dwelling I, cabins and cottages, all vacation rentals, artist studio, home occupation, government

facility and grounds, and temporary pier, dock, wharf, breakwater or other use projecting into the water.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure.

D. Uses allowed by site plan. The following uses shall be permitted by site plan review in any part of this district: motels accessory to cabins and cottages (with such motel providing for no more than 10 sleeping accommodations for transient uses), marina, retail (provided the structure is no greater than 5,000 square feet in floor area), gallery, ~~multifamily dwelling I~~, museum, recreational boating facility, permanent pier, dock, wharf, breakwater or other use projecting into the water, and road construction.

§ 125-49.3 Shoreland Maritime Activities

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: government facility and grounds, and temporary pier, dock, wharf, breakwater or other use projecting into the water.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure and shall include bank; farmers market; hotel; ~~multifamily dwelling I~~; ~~multifamily dwelling II~~; parking deck; parking lot; professional office building; restaurant; retail; take-out restaurant and wireless telecommunications facility.

D. The following uses shall be permitted by site plan review in any part of this district: functionally water-dependent uses, including permanent piers, wharfs and docks; commercial boat yard; commercial fish pier; passenger terminal; ferry terminal; marina; services.

E. Allowed activities.

- (1) Nonintensive recreational uses not requiring structures, such as fishing and hiking.
- (2) Emergency operations.

~~F. Other requirements:~~

~~(1) Multifamily I and multifamily II uses are limited to employee housing.~~

EXPLANATION:

This amendment will change the permitting authority for all multifamily dwelling I uses from site plan review through the Planning Board process to a permit from the Code Enforcement Officer in all districts where the use is currently allowed. Multifamily dwelling I use is three or four dwelling units on one parcel. Additionally, it will do the following: address an inconsistency in the ordinance by making CEO the permitting authority for two-family dwellings in the Shoreland General Development II district from Planning Board to CEO; add two-family dwellings as an allowed use in the Shoreland General Development II district with permitting by the CEO; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities district.

Given under our hands and seal at Bar Harbor this eighteenth day of February, 2020.

Municipal Officers of the Town of Bar Harbor

Jefferson Dobbs, Chair

Matthew A. Hochman, Vice Chair

Gary Friedmann

Joe Minutolo

Stephen Coston

Erin E. Cough

Jill Goldthwait

VIII D3

Order

Of the Bar Harbor Town Council

For the June 9, 2020 Town Meeting

It is hereby ordered that the following article be placed on the annual town meeting warrant with voting thereon to be held by Australian ballot:

Warrant Article

Article __ LAND USE ORDINANCE AMENDMENT – Employee Living Quarters – Shall an ordinance dated December 16, 2019 and entitled “An amendment to create and define a new use titled ‘employee living quarters’; allow for the use in 14 specific districts; provide specific standards for the use; amend the definition of ‘family’; create a new definition titled ‘floor area, ground’; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities district” be enacted?

Employee Living Quarters

An amendment to create and define a new use titled ‘employee living quarters’; allow for the use in 14 specific districts; provide specific standards for the use; amend the definition of ‘family’; create a new definition titled ‘floor area, ground’; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities district

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 125 LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-17 Bar Harbor Gateway.

D. Uses allowed by site plan.

- (1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; employee living quarters; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I;

multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking lot; parking deck; parking garage, also subject to Design Review Board certificate of appropriateness; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities.

§ 125-19 Mount Desert Street Corridor District.

D. Uses allowed by site plan.

- (2) Principal uses allowed by major site plan: convalescent home; employee living quarters; multifamily I and II; theaters.

§ 125-20 Village Residential.

D. Uses allowed by site plan.

- (2) Uses allowed by conditional use permit:
- (a) Ffor properties with road frontage on or access to Route 3 or 233: all bed-and-breakfast designations; art gallery; cabins; farmers' market; museum; private school; professional office building; take-out restaurant; undertaking establishment; veterinary clinic or hospital.
- (b) Employee living quarters.

G. Other requirements:

- (1) Accessory structures shall be located in the side and rear yard of the property. Employee living quarters are exempt from this requirement.

§ 125-21 Downtown Village I.

C. Allowed uses:

- (2) Uses allowed by site plan review: employee living quarters; hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools;

medical and dental clinics; banks; automobile service stations; hospitals; parking lot; parking deck; road construction; automobile sales lot; automobile repair garage; retirement community.

§ 125-21.1 Downtown Village II.

C. Allowed uses.

- (2) Uses allowed by site plan review: employee living quarters; hotel, motel; multifamily dwelling I and II; parking lot; parking deck; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; automobile sales lot; automobile repair garage; retirement community, veterinary clinic.

§ 125-24 Hulls Cove Business.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Bank

Commercial boatyard

Commercial fish pier

Commercial stable

Employee living quarters

Ferry terminal

Hospital

Light manufacturing/assembly plant

Marina

Multifamily dwelling I

Multifamily dwelling II

Municipal school

Parking lot

Recreational boating facility

Research facility

Research production facility
Road construction
Transient accommodations (TA-1)
Transient accommodations (TA-2)
Wireless communications facility

§ 125-31 Ireson Hill Corridor.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Bank
Campground
Employee living quarters
Mineral extraction
Mineral extraction and processing
Multifamily dwelling I
Multifamily dwelling II
Municipal school
Parking lot
Place of worship
Road construction
Transient accommodations (TA-1)
Transient accommodations (TA-2)
Transient accommodations (TA-3)
Transient accommodations (TA-4)
Transient accommodations (TA-5)
Transient accommodations (TA-6)
Transient accommodations (TA-7)
Transient accommodations (TA-8)
Warehousing or storage facility
Wholesale business establishment
Wireless communications facility

§ 125-40 Salisbury Cove Village.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Eleemosynary, educational or scientific institution

Employee living quarters

Marina

Multifamily dwelling I

Place of worship

Road construction

Transient accommodations (TA-1)

Transient accommodations (TA-2)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

Transient accommodations (TA-5)

Transient accommodations (TA-6)

Transient accommodations (TA-7)

Transient accommodations (TA-8)

Wireless communications facility

§ 125-43 Town Hill Business.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Automobile repair garage

Automobile sales lot

Automobile service station

Bank

Campground

Commercial boatyard

Eleemosynary, educational or scientific institution

Employee living quarters

Food processing and freezing (excluding slaughterhouse)

Food processing and freezing

Hospital

Light manufacturing/assembly plant

Mobile home park

Multifamily dwelling I

Multifamily dwelling II

Municipal school

Newspaper or printing facility

Parking garage and parking lot

Research facility

Research production facility

Road construction

Terminal yard and trucking facility

Transient accommodations (TA-1)

Transient accommodations (TA-2)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

Transient accommodations (TA-5)

Transient accommodations (TA-6)

Transient accommodations (TA-7)

Transient accommodations (TA-8)

Upholstery shop

Warehousing or storage facility

Wholesale business establishment

Wireless communications facility

§ 125-45 Town Hill Residential.

- D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Agriculture, commercial

Campground

Cemetery

Commercial stable

Employee living quarters

Marina

Mobile home park

Multifamily dwelling I

Municipal facility and grounds

Municipal school

Place of worship

Road construction

Transient accommodations (TA-1)

Wireless communications facility

§ 125-47 Shoreland General Development I.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Cocktail lounge

Commercial fish pier

Commercial structure

Employee living quarters

Essential services accessory to a permitted use or structure

Ferry terminal

Gift shops

Marina

Multifamily dwelling I

Multifamily dwelling II

Municipal facility and grounds

Recreational boating facility

Road construction

Ships chandlery

Transient accommodations (TA-2)

Transient accommodations (TA-3)

Transient accommodations (TA-4)

Transient accommodations (TA-5)

Transient accommodations (TA-6)

Transient accommodations (TA-7)

Transient accommodations (TA-8)

§ 125-49 Shoreland General Development II (Hulls Cove).

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Commercial fish pier

Commercial structure

Eleemosynary, educational or scientific institution

Employee living quarters

Essential services accessory to a permitted use or structure

Ferry terminal

Marina

Multifamily dwelling I

Multifamily dwelling II

Road construction

Single-family dwelling

§ 125-49.1 Shoreland General Development III.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; employee living quarters; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing;

parking lot; parking deck; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities.

§ 125-49.3 Shoreland Maritime Activities District.

C. Allowed uses.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure and shall include bank; farmers market; hotel; ~~multifamily dwelling I; multifamily dwelling II~~; parking deck; parking lot; professional office building; restaurant; retail; take-out restaurant and wireless telecommunications facility.

D. The following uses shall be permitted by site plan review in any part of this district: employee living quarters; functionally water-dependent uses, including permanent piers, wharfs and docks; commercial boat yard; commercial fish pier; passenger terminal; ferry terminal; marina; services.

~~F. Other requirements.~~

~~(1) Multifamily I and multifamily II uses are limited to employee housing.~~

ARTICLE V Site Plan Review

§ 125-67 General review standards

D. Parking requirements. Any activity that can be expected to generate vehicular traffic shall provide for off-street parking in accordance with the following requirements. Parking requirements may be reduced, as determined by the Planning Board, when at least 5% of the required parking spaces are designated for low-emitting and fuel-efficient vehicles, carpools or vanpools or any combination thereof, and are marked as such. Parking requirements may also be reduced, as determined by the Planning Board, for properties that are located on a regularly scheduled bus route.

(3) Except as otherwise provided in this chapter, the following minimum off-street parking

shall be provided and maintained in the case of new construction, alterations or changes of use which would increase the parking demand according to the standards set forth below, or any increase in the area used which increases the number of persons using the premises. In the event of such construction, alterations, change or increase, the entire premises or use, and not just that portion constructed, altered, changed or increased, shall become subject to the following requirements.

(x) Employee living quarters shall not be required to provide parking.

§ 125-69 Standards for particular uses, structures, or activities

W. Employee living quarters. All employee living quarters shall meet the following standards:

(1) Design: When employee living quarters are visible from the street or from an abutting property to the side or rear lot lines that is under different ownership or control, the employee living quarters shall be visually compatible with the principal building(s) and shall provide for rooflines that are similar in pitch and materials and building materials that are similar in regard to type and color scheme as the principal building(s).

(2) Setback requirements: Employee living quarters shall meet the same setback requirements as principal structures.

(3) Building footprint area: The total building footprint area of the employee living quarters shall not exceed 25% of the total building footprint area of the principal building(s) on the lot.

(4) Density bonus.

(a) An employee living quarters (including its associated accessways and parking areas) may benefit from increased lot coverage not to exceed:

[1] 63% in the Bar Harbor Gateway district

[2] 44% in the Mount Desert Street Corridor district

[3] 63% with sewers and 31% without sewers in the Village Residential district

[4] 85% in the Hulls Cove Business district

[5] 31% in the Ireson Hill Corridor district

[6] 44% in the Salisbury Cove Village district

[7] 63% in the Town Hill Business district

[8] 19% in the Town Hill Residential district

(b) All other (non-employee living quarters, including its associated accessways and parking) uses, activities, and structures, on the lot, shall be subject to the lot coverage requirements of the district it is in, as well as all other requirements of this chapter.

(c) If an employee living quarters (including its associated accessways and parking), increases the lot coverage as allowed under section 125-69 W.(4), it may not be enlarged, expanded, or otherwise provide for any other use, unless the lot coverage is brought into compliance with the requirements of the district it is in.

(5) Change of Use. A change of use from employee living quarters to another use shall comply with all requirements of this chapter, including lot coverage requirements.

(6) Parking benefitting from the density bonus (increased lot coverage) shall be for the exclusive use of the occupants of the employee living quarters.

(7) Every bedroom in employee living quarters shall contain not less than 70 square feet of habitable floor area for each occupant excluding enclosed spaces such as closets and bathrooms, and shall not be any less than seven (7) feet in any horizontal dimension.

ARTICLE XII Construction and Definition

§ 125-109 Definitions.

The following terms shall have the following meanings:

EMPLOYEE LIVING QUARTERS

An accessory structure, attached or detached from the principal structure, consisting of a series of rooms containing beds, where the occupants do not constitute a family or a single housekeeping unit, and the principal structure is a commercial use. It shall be used exclusively for the accommodation of employees, for more than 30 days, that are employed on- or off-site, as long as the off-site employees are employed by the same company, a parent company, or a subsidiary company that owns the parcel where the principal structure is located. Employee living quarters serving a hospital shall not be subject to the 30-day minimum requirement. Employee Living Quarters must serve another use on the lot, meaning it cannot be the only use on the lot.

FAMILY

Two or more persons related by blood, marriage, adoption or guardianship, or not more than five persons not so related, occupying a dwelling unit (including a vacation rental) and living as a single housekeeping unit, such a group to be distinguished from a group occupying a boardinghouse, lodging house, club, fraternity, ~~or~~ transient accommodations, or employee living quarters.

FOOTPRINT AREA, BUILDING

The total square footage of a building or buildings if viewed from above, including areas under overhangs.



EXPLANATION: This amendment would create and define a new use titled “employee living quarters”; allow for the use in 14 specific districts; provide specific standards for the use; amend the definition of “family”; and create a new definition titled “floor area, ground”; and prohibit multifamily dwelling I and multifamily dwelling II uses in the Shoreland Maritime Activities District.



Given under our hands and seal at Bar Harbor this eighteenth day of February, 2020.

Municipal Officers of the Town of Bar Harbor



Jefferson Dobbs, Chair



Matthew A. Hochman, Vice Chair



Gary Friedmann



Joseph Minutolo



Stephen Coston



Erin E. Cough



Jill Goldthwait

VIII D4

Order

Of the Bar Harbor Town Council

For the June 9, 2020 Town Meeting

It is hereby ordered that the following article be placed on the annual town meeting warrant with voting thereon to be held by Australian ballot:

Warrant Article

Article __ LAND USE ORDINANCE AMENDMENT – Shared Accommodations – Shall an ordinance dated December 16, 2019 and entitled “An amendment to create and define a new use titled ‘shared accommodations’ with three levels of the use based on number of occupants; allow for one or more of those three levels of the use in eight specific districts; provide specific standards for the use; make all levels of shared accommodations subject to Design Review Board approval; and amend the definition of ‘family’” be enacted?

Shared Accommodations

An amendment to create and define a new use titled ‘shared accommodations’ with three levels of the use based on number of occupants; allow for one or more of those three levels of the use in eight specific districts; provide specific standards for the use; make all levels of shared accommodations subject to Design Review Board approval; and amend the definition of ‘family’

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is striken. New language is underlined.]

Chapter 125, LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-17 Bar Harbor Gateway.

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code

Enforcement Officer: artist studio; child care family; gallery; government facility; home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility; municipal school; public or private park with minimal structural development; shared accommodations (SA-1); vacation rentals; single-family dwelling and two-family dwelling.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking lot; parking deck; parking garage, also subject to Design Review Board certificate of appropriateness; private compulsory school; professional office building; restaurant; retail; road construction; services; shared accommodations (SA-2 and SA-3); take-out restaurant; wind turbines, and wireless communication facilities.

§ 125-19 Mount Desert Street Corridor District.

C. Allowed uses.

(1) Principal uses allowed with a building permit or a change of use permit from the Code Enforcement Officer: art gallery, home occupation, museum, place of worship; public or private park, shared accommodations (SA-1); single- or two-family dwelling; vacation rentals.

D. Uses allowed by site plan.

(2) Principal uses allowed by major site plan: convalescent home; multifamily I and II; shared accommodations (SA-2 and SA-3); theaters.

§ 125-21 Downtown Village I.

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; restaurants and bars; theaters; galleries; services; shared accommodations (SA-1); professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio, eleemosynary institution, place of worship; farmers market; home occupation.

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools; medical and dental clinics; banks;

automobile service stations; hospitals; parking lot; parking deck; road construction; automobile sales lot; automobile repair garage; retirement community; shared accommodations (SA-2 and SA-3).

§ 125-21.1 Downtown Village II.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services; shared accommodations (SA-1); vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio; farmers market; single-family dwelling; two-family dwelling; home occupation.

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; parking lot; parking deck; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; automobile sales lot; automobile repair garage; retirement community, veterinary clinic; shared accommodations (SA-2 and SA-3).

§ 125-24 Hulls Cove Business.

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Bank

Commercial boatyard

Commercial fish pier

Commercial stable

Ferry terminal

Hospital

Light manufacturing/assembly plant

Marina

Multifamily dwelling I

Multifamily dwelling II

Municipal school

Parking lot

Recreational boating facility

Research facility

Research production facility

Road construction

Shared accommodations (SA-2)

Shared accommodations (SA-3)

Transient accommodations (TA-1)

Transient accommodations (TA-2)

Wireless communications facility

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Commercial art gallery or pottery barn

Commercial garden, greenhouse or nursery

Driveway construction

Farmers' market

Filling/earthmoving activity of 10 cubic yards or more

Public or private park with minimal structural development

Shared accommodations (SA-1)

Single-family dwelling

Two-family dwelling

Uses or small structures accessory to permitted uses or structures

Vacation rentals

§ 125-31 Ireson Hill Corridor.

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Commercial art gallery or pottery barn

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more
Grocery stores
Noncommercial greenhouse
Public or private park with minimal structural development
Roadside stand
Shared accommodations (SA-1)
Single-family dwelling
Two-family dwelling
Uses or small structures accessory to permitted uses or structures
Vacation rentals

§ 125-43 Town Hill Business.

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling
Agriculture, avocational
Commercial art gallery or pottery barn
Commercial garden, greenhouse or nursery
Driveway construction
Farmers' market
Filling/earthmoving activity of 10 cubic yards or more
Grocery stores
Noncommercial greenhouse
Noncommercial kennel
Noncommercial stable
Public or private park with minimal structural development
Roadside stand
Shared accommodations (SA-1)
Single-family dwelling
Two-family dwelling
Undertaking establishment

Uses or small structures accessory to permitted uses or structures

Vacation rentals

Veterinary clinic

§ 125-44 Town Hill Residential Corridor.

E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:

Accessory dwelling

Agriculture, avocational

Commercial garden, greenhouse or nursery

Driveway construction

Filling/earthmoving activity of 10 cubic yards or more

Noncommercial greenhouse

Noncommercial kennel

Noncommercial stable

Public or private park with minimal structural development

Roadside stand

Shared accommodations (SA-1)

Single-family dwelling

Two-family dwelling

Undertaking establishment

Uses or small structures accessory to permitted uses or structures

Vacation rentals

ARTICLE V Site Plan Review

§ 125-67 General review standards

D. Parking requirements. Any activity that can be expected to generate vehicular traffic shall provide for off-street parking in accordance with the following requirements. Parking requirements may be reduced, as determined by the Planning Board, when at least 5% of the

required parking spaces are designated for low-emitting and fuel-efficient vehicles, carpools or vanpools or any combination thereof, and are marked as such. Parking requirements may also be reduced, as determined by the Planning Board, for properties that are located on a regularly scheduled bus route.

- (3) Except as otherwise provided in this chapter, the following minimum off-street parking shall be provided and maintained in the case of new construction, alterations or changes of use which would increase the parking demand according to the standards set forth below, or any increase in the area used which increases the number of persons using the premises. In the event of such construction, alterations, change or increase, the entire premises or use, and not just that portion constructed, altered, changed or increased, shall become subject to the following requirements.

(y) Shared accommodations

[1] Shared accommodations (SA-1): Based on maximum occupancy, parking shall be provided at a rate of 0.5 parking space per occupant in the Bar Harbor Gateway, Mount Desert Street Corridor, Hulls Cove Business, Ireson Hill Corridor, Town Hill Business, and the Town Hill Residential Corridor districts. Parking spaces may be allowed in tandem with a maximum of two vehicles in a row. The minimum area per parking space shall be 136 square feet.

[2] Shared accommodations (SA-2 and SA-3): Based on maximum occupancy, parking shall be provided at a rate of 0.2 parking spaces per occupant in the Bar Harbor Gateway and the Hulls Cove Business districts and 0.1 parking spaces per occupant in the Mount Desert Street Corridor District.

§ 125-69 Standards for particular uses, structures, or activities

X. Shared accommodations. Every bedroom in shared accommodations shall contain not less than 70 square feet of habitable floor area for each occupant, excluding enclosed spaces such as closets and bathrooms, and shall not be any less than seven (7) feet in any horizontal dimension.

ARTICLE XII Construction and Definition

§ 125-109 Definitions.

FAMILY

Two or more persons related by blood, marriage, adoption or guardianship, or not more than five persons not so related, occupying a dwelling unit (including a vacation rental) and living as a single housekeeping unit, such a group to be distinguished from a group occupying a boardinghouse, lodging house, club, fraternity, ~~or~~ transient accommodations, or shared accommodations.

SHARED ACCOMMODATIONS

Any group of three or more rooms, other than lodging or vacation rental, where for direct or indirect compensation the occupants live in furnished rooms with shared kitchens for more than 30 days. The occupants do not constitute a family or a single housekeeping unit. The makeup of the occupants is determined by the landlord, property manager, or other third party and not by the occupants themselves. A shared accommodation serving a hospital shall not be subject to the 30-day minimum requirement. There are three different types of shared accommodations:

- A. SA-1: 3 to 8 people per structure
- B. SA-2: 9 to 32 people per structure
- C. SA-3: 33 or more people per structure

ARTICLE XIII Design Review

§ 125-112 Applicability of design review.

A. Design Review Overlay Districts.

- (1) The provisions of this article shall apply only within the geographic limits of the following Design Review Overlay District, hereinafter called the "district."
- (2) Boundaries of the Design Review Overlay District. The district shall include the following neighborhood districts as shown on the Official Neighborhood Districts Map of Bar Harbor: the Downtown Village I District; Downtown Village II District; the Shoreland General Development I District; Shoreland General Development II District; the Village Historic District; and the Town Hill Business District. The district is depicted on the map titled "Design Review Overlay District of the Town of Bar Harbor, Maine." The district also includes all bed-and-breakfast uses, all shared accommodations uses, and individual properties with the following uses, regardless of their district location: TA-1, TA-3, TA-4, and TA-6. The district also includes properties listed in Appendix A and/or Appendix B of this chapter.

EXPLANATION: This amendment would create and define a new use titled “shared accommodations” with three levels of the use based on number of occupants; allow for one or more of those three levels of the use in eight specific districts; provide specific standards for the use; make all levels of shared accommodations subject to Design Review Board approval; and amend the definition of “family”.

Given under our hands and seal at Bar Harbor this eighteenth day of February, 2020.

Municipal Officers of the Town of Bar Harbor

Jefferson Dobbs, Chair

Matthew A. Hochman, Vice Chair

Gary Friedmann

Joseph Minutolo

Stephen Coston

Erin E. Cough

Jill Goldthwait

VIII DS

Order

of the Bar Harbor Town Council
For the June 9, 2020 Town Meeting

It is hereby ordered that the following article be placed on the town meeting warrant with voting thereon to be held by Australian ballot:

Warrant Article

Article ___ LAND USE ORDINANCE AMENDMENT — Official District Boundary Map Amendment For Hulls Cove Business and Shoreland General Development II districts, and Amendments to Create and Define a New TA Use with a Parking Standard and to Add Two New Uses to the Shoreland General Development II District – Shall an ordinance dated December 16, 2019 and entitled “An amendment to the Official Neighborhood District Map by extending a portion of the boundary of the Shoreland General Development II district to encompass all or part of the following parcels: Tax Map 223, Lots 011 and 014 and Tax Map 224, Lots 001 and 022 (all four of which presently have portions in both Hulls Cove Business district and Shoreland General Development II district); additionally, to create and define a new level of transient accommodation use (proposed as “TA-9”) in §125-109 and to establish a parking standard for that use in §125-67 D.(3)(b)[2]; and lastly, to amend §125-49 D. of the Land Use Ordinance (Shoreland General Development II) to allow “TA-9” and “campground (shoreland districts)” as uses permitted with site plan/Planning Board approval in the Shoreland General Development II district” be enacted?

Official District Boundary Map Amendment for Hulls Cove Business and Shoreland General Development II districts, and Amendments to Create and Define a New TA Use with a Parking Standard and to Add Two New Allowed Uses to the Shoreland General Development II District

An amendment to the Official Neighborhood District Map by extending a portion of the boundary of the Shoreland General Development II district to encompass all or part of the following parcels: Tax Map 223, Lots 011 and 014 and Tax Map 224, Lots 001 and 022 (all four of which presently have portions in both Hulls Cove Business district and Shoreland General Development II district); additionally, to create and define a new level of transient accommodation use (proposed as “TA-9”) in §125-109 and to establish a parking standard for that use in §125-67 D.(3)(b)[2]; and lastly, to amend §125-49 D. of the Land Use Ordinance (Shoreland General Development II) to allow “TA-9” and “campground (shoreland districts)” as uses permitted with site plan/Planning Board approval in the Shoreland General Development II district

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-49 Shoreland General Development II (Hulls Cove).

D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:

Campground (Shoreland Districts)

Commercial fish pier

Commercial structure

Eleemosynary, educational or scientific institution

Essential services accessory to a permitted use or structure

Ferry terminal

Marina

Multifamily dwelling I

Multifamily dwelling II

Road construction

Single-family dwelling

TA-9

ARTICLE V Site Plan Review

§ 125-67 General Review Standards

D. Parking requirements. Any activity that can be expected to generate vehicular traffic shall provide for off-street parking in accordance with the following requirements. Parking requirements may be reduced, as determined by the Planning Board, when at least 5% of the required parking spaces are designated for low-emitting and fuel-efficient vehicles, carpools or vanpools or any combination thereof, and are marked as such. Parking requirements may also be

reduced, as determined by the Planning Board, for properties that are located on a regularly scheduled bus route.

(3) Except as otherwise provided in this chapter, the following minimum off-street parking shall be provided and maintained in the case of new construction, alterations or changes of use which would increase the parking demand according to the standards set forth below, or any increase in the area used which increases the number of persons using the premises. In the event of such construction, alterations, change or increase, the entire premises or use, and not just that portion constructed, altered, changed or increased, shall become subject to the following requirements.

(b) Transient accommodations:

[2] Hotels, motels, TA-9 and conference centers: one parking space for each guest room.

ARTICLE XII Construction and Definitions

§ 125-109 Definitions.

The following terms shall have the following meanings:

TRANSIENT ACCOMMODATIONS

I. TA-9 A building or buildings where for compensation lodging and meals are provided (four to 75 rooms). Accessory uses subject to site plan review include restaurant, conference room, retail establishment, recreational facilities, such as swimming pool, game courts, and recreational rooms or similar uses.

EXPLANATION:

This amendment would amend the Official Neighborhood District Map by extending a portion of the boundary of the Shoreland General Development II district to encompass all or part of the following parcels: Tax Map 223, Lots 011 and 014 and Tax Map 224, Lots 001 and 022 (all of which presently have portions in both Hulls Cove Business district and Shoreland General Development II district); additionally, would create and define a new level of transient accommodation use (proposed as "TA-9") in §125-109 and establish a parking standard for that use in §125-67 D.(3)(b)[2]; and lastly, would amend §125-49 D. of the Land Use Ordinance (Shoreland General Development II) to allow "TA-9" and "campground (shoreland districts)" as uses permitted with site plan/Planning Board approval in the Shoreland General Development II district.

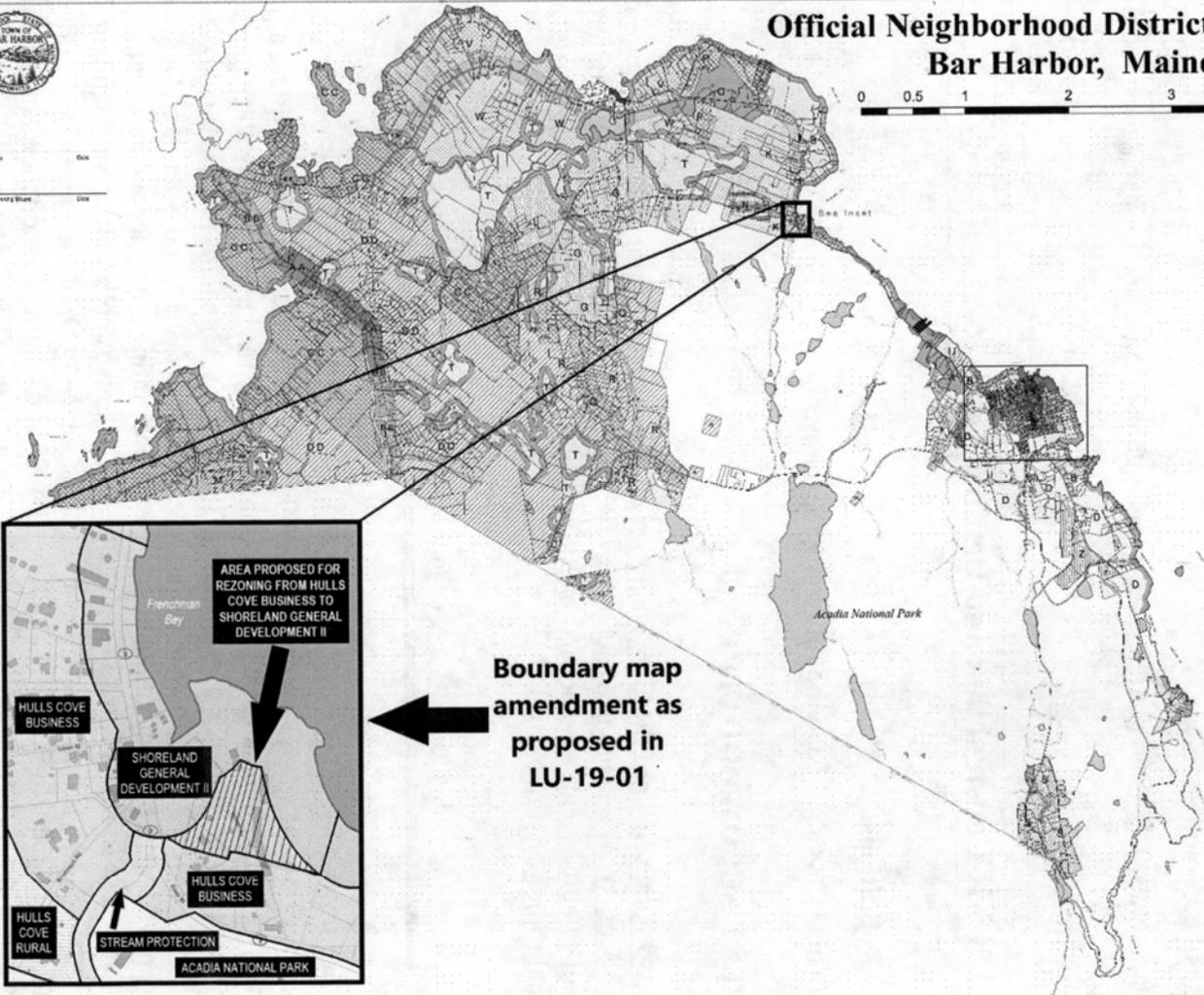


Official Neighborhood District Map of Bar Harbor, Maine



0 0.5 1 2 3 4 Miles

Scale
0 1 2 Miles
0 1 2 Miles



Legend

- A - Bar Harbor Gateway
- B - Village Historic
- C - Mount Desert Street Corridor
- D - Village Residential
- E1 - Downtown Village I
- E2 - Downtown Village II
- E3 - Village Transitional
- F - Downtown Residential
- G - Emery District
- H - Hulls Cove Business
- J - Hulls Cove Residential Corridor
- K - Hulls Cove Rural
- L - Indian Point Residential
- M - Indian Point Rural
- N - Industrial
- O - Ireson Hill Corridor
- P - Ireson Hill Residential
- Q - McFarland Hill Residential
- R - McFarland Hill Rural
- S - Otter Creek
- SP - Stream Protection
- T - Resource Protection
- U - Salisbury Cove Corridor
- V - Salisbury Cove Residential
- W - Salisbury Cove Rural
- X - Salisbury Cove Village
- Y - Schooner Head
- Z - Scientific Research
- AA - Town Hill Business
- BB - Town Hill Residential Corridor
- CC - Town Hill Residential
- DD - Town Hill Rural
- EE - Shoreland General I
- FF - Shoreland Limited Residential
- GG - Shoreland General II
- SS - Shoreland General III
- S4 - Shoreland General IV
- S5 - Shoreland General V
- HH - Marine Research
- II - Educational Institution

Boundary map amendment as proposed in LU-19-01

Effective November 6, 2018

Given under our hands and seal at Bar Harbor this eighteenth day of February, 2020.

Municipal Officers of the Town of Bar Harbor

Jefferson Dobbs, Chair

Matthew A. Hochman, Vice Chair

Gary Friedmann

Joseph Minutolo

Stephen Coston

Erin E. Cough

Jill Goldthwait

Memo

To: Bar Harbor Town Council
From: Eben Salvatore
cc: Michele Gagnon
Date: 2/12/2020
Re: Land Use Ordinance Amendment

Members of the Council,

Thank you for taking the time to schedule a public hearing on this request to amend the Land Use Ordinance in Hulls Cove. There are 3 components which make up our amendment request:

1. A modification of the zone boundary line between the Shoreland General Development II and the Hulls Cove Business zones.
2. Create and define a new category of Transient Accommodation called TA-9
3. Allow **Campground (shoreland districts)** and **TA-9** (with a cap of 75 units) in the Shoreland General Development II zone.

Background

On September 11, 2001 we purchased the property known as the Park Entrance Motel at a bank sponsored foreclosure auction. Subsequently we acquired seven other parcels adjacent to that property for a total of 8 lots. These lots abut Rt 3 and extend all the way to the ocean. Our intent has always been to replace the dated motel structures With a mixture of lodging units and various versions of camping activity. Traditional lodging amenities would complement these uses..

The buildings that currently exist are more than 50 years old and have been used as transient accommodations from day 1. Years ago the voters of Bar Harbor passed a Town sponsored

LUZO amendment which allowed unlimited transient accommodations on our property. That zoning was in place for many years.

If we had intensions of a large scale development the door was wide open. A large scale development has never been our intent, which is an important thing to remember when you consider the changes we are proposing.

Vision

Our vision for this parcel has always been a re-development on a small scale similar to what has always been there. The process would involve a reconfiguration of the existing hotel rooms in a centrally located lodge style structure with a mixture of cabins and camp sites closer to the ocean.

Several years ago we did propose a re-configuration of the existing units in conjunction with sub dividing the Hulls Cove Business land. We submitted a site plan in 2005 to the Planning Board and attended several meetings. While this concept is possible under the current zoning, and we can proceed with that at any time, the amendments will allow for a much more desirable outcome.

Specific Changes

1. Boundary line modification

Existing Shoreland II zone is 16.85 acres. That is the entire zone- not just our property.

The Hulls Cove Business zone is 64.11 acres. This amendment extends the Shoreland II zone into the Hulls Cove Business zone and converts 2.95 acres. Hulls Cove Business decreases by 4.6%.

The amended zoning boundary allows the lodge building to exist entirely within one zoning district and not straddle two districts as the district boundary and use do now.

The current boundary bisects the main Park Entrance lot. There does not seem to be a good reason why the boundary was configured in this fashion other than following the shoreline. Our proposal shifts the line to existing property lines.

2. Creating TA-9 and allowing it in Shoreland II

This component of the amendment was a suggestion by the Planning Board over several meetings. The purpose of this is to place a limit of 75 total cabins and transient accommodations on the property.

The current zoning allows unlimited "Commercial Structures" in the Shoreland II zone. Obviously any structure housing a transient accommodation would qualify as a commercial structure. The proposed TA-9 definition provides a clear limit of 75 total units and a more defined use.

3. Allowing Campground (Shoreland Districts)

This amendment would more clearly allow campsites in the Shoreland II zone. While they would still be considered "commercial structures" in the same way the cabins and the guest lodge would, the specific use designation is preferred. Our discussions have included a small amount of tent sites, "glamping" platforms and high end Airstream sites.

Comp Plan

In November we submitted to the Planning Board a thorough analysis of our amendments and their relation to the Comp plan. In summary we demonstrated how this proposal is consistent with the Comprehensive Plan overall and clearly meets the objectives relating the Hulls Cove Village Areas. We would be happy to provide a copy of our report upon request.

Thank you for taking the time to review our amendments. I will attend the Public Hearing on the 18th to answer any questions.

TX A

Bar Harbor Age-Friendly Committee Report to the Town of Bar Harbor

Background - In August 2016, the Task Force on Aging was established to ensure that residents of Bar Harbor were living within the 8 Domains of Livability as set forth by the WHO (World Health Organization) and the AARP Age-Friendly Initiative. Initial work for the Task Force included a survey of 50+ households with results focused on 3 major concerns of the residents – housing, transportation and community support and health services. Focus Groups were created to delve deeper into each concern to get a better idea of what the residents could see as potential solutions. A request was made publicly at the November 20th On December 27, 2018 that the Task Force on Aging become the Age Friendly Committee. The Town Council made appointments to the committee at the December 18th meeting and it was approved and adopted with an ordinance amendment at the January 15, 2019 meeting.

In February, the members voted on officers. As of this current report, we now have 7 active committee members.

This report shares the information we have gathered and plans for our future direction.

We realize that one of our greatest responsibilities is to advocate for our senior population when it comes to such important issues as housing, transportation and community support and health services. Since our last report in August 2018, here are some of our accomplishments:

- We were trained to conduct Focus Groups by David Wihry with the UMaine Center on Aging for the purpose of digging deeper into the Bar Harbor Task Force on Aging survey results
- We conducted 3 focus groups and further enforcing the survey results; we continue to reach out and collaborate to support the efforts within other organizations to help meet those in need and to increase our reach in the community
- In an effort to become educated and understand where affordable senior housing might fit into the current housing crisis, we have met with Dwayne Bartlett from the MDI & Ellsworth Housing Authority, Suzanne Hopkins from Birch Bay Village, Michelle Gangon from the Town of Bar Harbor and Robin Baron a resident who is working on the concept of house sharing. We have worked in collaboration with the Jesup Memorial Library, Age by Design Program and this spring, with the YWCA MDI, Hospice Volunteers of Hancock County to host a workshop on Aging & Loss which will run weekly for 8 weeks; the Chair of the Committee attended an AARP Rural Livability Conference and a Build Maine Workshop.
- We hosted and attended a gathering of other Age-Friendly Committees in Hancock County.

The future efforts of the Committee will include:

- Development of a written three year action plan with specific goals and objectives responsive to the needs identified in the assessment survey and focus groups.
- Continuing to advocate for older adults and their concerns to ensure safe and walkable sidewalks, affordable and appropriate home project repairs, availability of a community resource guide and collaborate with other organizations including the school board to facilitate a community center for older adults.

What we need from you, is to include seniors in the housing and transportation solutions as a priority. We also wish to request approval of a newly written mission statement for the committee. It speaks directly to what we are doing as a committee.

~~IX~~ B



Town of Bar Harbor Planning & Code Department

MEMORANDUM

To: Town Council
Copy: Cornell Knight, Sharon Linscott, Planning Board, Zoning Advisory Group (ZAG),
Angie Chamberlain, Steve Fuller, Pat Lessard, and Tammy DesJardin
From: Michele Gagnon
Date: February 11, 2020 *MS*
Re: Update - Vacation rental land use amendment

The purpose of this memo is to provide the Town Council with a status report of the Vacation Rental land use amendment project.

The attached February 11, 2020 Status Report contains four sections: 1) Goal; 2) Policy Objectives; 3) Outreach Process; and 4) Summary of Comments.

Also attached is a revised/amended schedule.



**Vacation Rental
Land Use Amendment Project**

STATUS REPORT

February 11, 2020



Goal

Builds on the Council Vision, Goals and Strategies and Strategy #1 of the 2019 Housing Policy Framework

To develop vacation rental regulations that balance the needs of the Town of Bar Harbor and protect public interests including housing affordability, health and safety, and neighborhood quality, while still allowing for residents to earn supplemental income from vacation rentals.

Policy Objectives

Based on housing and vacation rental data and the listening sessions

1. To establish clear definitions, appropriate locations, and minimum length of stay.
2. To classify the types of use (residential or commercial).
3. To maximize the supply and affordability of year-round housing options.
4. To address speculation and conversion from year-round housing to short-term lodging.
5. To prioritize residential use and neighborhood quality.
6. To balance the playing field with transient accommodations, B&Bs, etc.
7. To establish a pathway to successful and consistent enforcement.
8. To ensure guest safety.
9. To identify possible incentives to assist in retaining and creating year-round housing.
10. To develop regulations that are politically acceptable, legally and practically enforceable, and financially affordable.

Listening Sessions

Three public listening sessions were held at the end of January 2020. In order to focus on year-round Bar Harbor residents, including renters, we did a 3,716-piece direct mailing to postal customers only. About 220 people attended over the course of three nights. Each session started with a 30-minute PowerPoint presentation on the status of housing and vacation rentals in Bar Harbor, followed by public comments.

Of the people that registered, 90% were from Bar Harbor and the majority were from the downtown. Thirty-six (36%) of the registrants were under age 50. According to Engagement Coordinator Nina St. Germain, this is a great turnout of younger people. Close to half of the registrants owned at least one vacation rental. Of the 220 participants, 33% (73 people) provided comments. Only 11% of the participants who commented were not from Bar Harbor and just about all of them were from elsewhere on the island or from the greater Ellsworth area. Of those who spoke, 53% do not own vacation rentals while 47% were vacation rental owners. The combined number of vacation rentals for all commentators was about 51.

Summary of Comments

This is a summary of opinions expressed by speakers during the listening sessions. As a result, some of them conflict with or contradict one another.

Source of Income

Most owners have only one vacation rental. It provides income, allows people to afford to live in Bar Harbor, and/or serves as a retirement plan. Many saw a difference between residents owning vacation rentals to supplement their income and non-residents owning vacation rentals as investments. Several people mentioned that year-round rentals are not as lucrative as vacation rentals and come with their own set of challenges. Some people see a vacation rental as a business, and therefore a commercial use, and believe that it should be treated as such.

Length of Stay

Most vacation rental owners said that they would like the minimum number of days to be reduced, as visitors are looking for shorter stays than the 5-day (4-night) minimum. It was also said that the small vacation rental places and private rooms are not suited to a 4-night stay. On the other side it was argued that going to one or two nights will effectively turn vacation rentals into transient accommodations and put them in direct competition with TAs, B&Bs, cabins, etc.

Year-round Housing and Community

There was an acknowledgement that living in Bar Harbor is expensive. Many people, born and raised in Bar Harbor, have moved off-island because they cannot afford to live here and/or because it is more affordable to live off-island.

Some believe that the town will never be affordable - it is about supply and demand. It was said that vacation rental regulations would not solve the workforce housing/year-round housing problem. Property rights and free market is the way to go. The short-term rental market is more lucrative than the long-term market and there is less wear and tear. Some remarked that vacation rentals ensure that properties are well-maintained and help keep property values high. There would need to be some type of tax break/financial incentive for people to consider year-round rentals.

Some people see vacation rentals as growing the town as a *commodity*, to the detriment of the town as a *community*. There is a feeling that the aging and affluent population is not welcoming to young people. It was said that although it is great that vacation rental is a vehicle for people to be able to retire in Bar Harbor, we should not forget that many people that work here would also like to be able to

afford to live here. They feel overlooked. They feel like they are not part of the community.

Many feel that there are enough vacation rentals but not enough year-round housing, and that a balance with year-round housing needs to be achieved. There was concern that decreasing the minimum length of stay for vacation rentals (both year-round and in the shoulder season) would keep more vacation rentals on the market. In turn, this would make vacation rentals more valuable and therefore continue to exacerbate the year-round housing problem. Some feel that residential neighborhoods have turned into business districts. Lots of traffic and strangers (does not feel safe) in the peak season and dark homes in the off-season.

There needs to be a year-round population living in Bar Harbor in order to have a community. If we want to have kids in school, we need families; and if we want families, we need workforce housing. Workforce housing availability is the primary hurdle for people wanting to work here and live here. The lack of quality, year-round workforce rentals create stress and anxiety for many people trying to live here. Many renters move every six months. A long-time Bar Harbor business owner said that in her first 10 years in Bar Harbor she moved 21 times. A young woman with a start-up business and school-age children moved six times in three years. An oyster worker moved 12 times in six years. The constant moving requires about a significant amount of cash flow for each move. The lack of housing creates insecurity and constant fear of being homeless. People live in substandard rentals and couch surf. People live in cars, in the woods, in closets, and in Acadia National Park. People deserve stability. They do not deserve to be uprooted every six months; they deserve a place to live year-round.

2020 Schedule for Vacation Rental Land Use Amendment

Meeting	Date and Time	Activities
The ZAG will meet during the week of January 20 to review VR history, data, issues/benefits, and existing regulations		
Public Listening Sessions	Tues Jan. 28 6:30 PM @ MDI Bio Lab Wed Jan. 29 6:30 PM @ Munic. Bldg. Thu Jan. 30 6:30 PM @ Town Hill VIS	Staff presents same as above to public and hears comments
The ZAG will meet during the weeks of February 3 and 10 to work on goals, purposes, policy objectives		
TC	Tues Feb 18, 7 PM @ TC meeting	Present goals, purposes, and policy objectives
The ZAG will meet during the week of February 24 and March 2 to work on regulatory approaches		
PB	Wed March 4, 4 PM @ reg. meeting	Update PB
PB/TC	Wed March 11, 6 PM (tentative)	Update at joint workshop of PB/Council
Public Info. Session	Wed March 18, 6:30 PM (tentative)	Present goals, purposes, policy objectives, regulatory approaches with Q&A
PB	Wed April 1, 7 PM @ regular meeting	Update PB
Public Info. Session	Wed April 15, 6:30 PM (tentative)	Present revised regulatory approaches w/ Q&A
PB	Wed April 22, 7 PM special meeting	Finalize LUO language
PB	Wed April 29, 7 PM special meeting	Finalize LUO language
PB	Wed May 6, 7 PM @ regular meeting	PB calls for public hearing @ June 3* PB meeting

Guide to Acronyms: ZAG = Zoning Advisory Group, TC = Town Council, PB = Planning Board, VR = Vacation Rental

Project updates will be shared with the Town Council, the Planning Board, and the Town Manager.

Members of the VR ZAG: Earl Brechlin, John Fitzpatrick, Mike Gurtler, Rob Jordan, Kristi Losquadro and Nichole Treston.

*June 3 is the start of the 5-month period of formal public hearings for LUO amendments to be possibly voted on in November 2020 ballot.

January 2, 2020 revised February 11, 2020